United Nations S/2016/94

Security Council

Distr.: General
1 February 2016
English
Original: Russian

Identical letters dated 29 January 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

I have the honour to transmit herewith information on illegal trading in hydrocarbons by Islamic State in Iraq and the Levant (ISIL), together with an unofficial translation into English.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) V. **Churkin**

16-01347 (E) 020216 030216

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Annex to the identical letters dated 29 January 2016 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General and the President of the Security Council

Illegal trading in hydrocarbons by ISIL

Most hydrocarbons extracted from ISIL-controlled areas are channelled through Turkey. Oil and oil products are mainly imported to Turkish territory by fuel tankers via the border checkpoints of Karkamış (570 km south-east of Ankara, Gaziantep province), Akçakale (640 km south-east of Ankara, Şanlıurfa province), Cilvegözü (530 km south-east of Ankara, Hatay province) and Öncüpınar (520 km south-east of Ankara, Kilis province). Every day, 100 to 150 fuel trucks pass through these checkpoints. Furthermore, crude is transported along rural roads not controlled by the Turkish security forces. Up to 4,500 vehicles in total are being used for this. A number of Turkish companies are engaged in supplying fuel trucks to ISIL, including Serii in Konya (owner — Mr. Mustafa Serii) and Sam Otomotiv in Antakya (owner — Mr. Habib Haydaroglou).

In Turkey, the crude is delivered to the Tüpraş refinery (Turkish Petroleum Refineries Co.) located in Batman, 750 km south-east of Ankara. Smuggled fuel is also processed in small Turkish factories and channelled through the gas stations of small companies: Opet Nizig, Alpet, Kadoil, Oneoil, Teco Alacali and Mavigöl Gaz. Dealers in illegal oil-refining products operating in the Turkish provinces of Gaziantep, Şanlıurfa, Kahramanmaraş, Kilis and Hatay enjoy the protection of corrupt local officials.

Most hydrocarbons are shipped through Turkish sea terminals on the Mediterranean coast, mainly the seaport of Ceyhan, 415 km south-east of Ankara. Transportation includes the use of tankers from BMZ Group Denizcilik ve İnşaat A.Ş. The company was founded in 2013; its registered capital totals approximately US$ 1 million and its office is located in Istanbul at 3 Gürgen Street in the Üsküdar district. The company's fleet consists of five tankers: Mecid Aslanov, Begim Aslanova, Poet Qabil, Armada Fair and Armada Breeze.

The Turkish company Powertrans, part of Çalık Holding A.Ş., whose Director-General is Mr. B. Albayrak, is reported to be involved in the oil trade with ISIL.

The Turkish Petroleum International Company has concluded a Turkish Government-guaranteed contract with Kurdish businessmen from Northern Iraq and is jointly implementing oil production and processing projects with companies in the Kurdish Autonomous Region. There is reason to believe that this arrangement is also an outlet for ISIL to sell energy resources.

The Turkish oil and gas corporation TPAO and the Genel Energy company, in collaboration with the State-owned pipeline corporation BOTAŞ, are upgrading their capacities to import illegal crude hydrocarbons from Iraq and the Syrian Arab Republic. To that end, work has been carried out to expand the Yumurtalık oil terminal (connected to the Iraqi-Turkish Kirkuk-Ceyhan pipeline), increasing its storage capacity to 1.7 million tons.

The crude legalized in Turkey then ends up in different parts of the world and is virtually impossible to trace. Companies involved in the resale of hydrocarbons

extracted under ISIL control include Palmali Shipping and Agency JSC (Turkey), General Energy (United Kingdom and Turkey) and Saudi Aramco (Saudi Arabia).

The funds raised from oil sales are used by ISIL to buy, inter alia, weapons, military equipment, ammunitions and materiel. Another source of funding is donations from private individuals and Islamic organizations, mainly from the Gulf States and Turkey. The supreme military council of ISIL allocates more than US$ 30 million every month for such purposes.

Turkish territory is also actively being used by terrorists for illegal deliveries of weapons and ammunition. They receive assistance from Turkish Islamist non-governmental associations and foundations, in particular the Foundation for Human Rights and Freedoms and Humanitarian Relief (President — Mr. B. Yıldırım). The Foundation is headquartered in Istanbul at No. 3 Taylasan Street, Büyük Karaman province in the Fatih district. Under the guise of charitable work, it provides assistance to fighters and, for that purpose, has opened accounts at the following Turkish banks: Ziraat Bankası, Al Baraka, Kuveyt Türk and VakıfBank. This organization's involvement in purchasing weapons for terrorist organizations in the Syrian Arab Republic was proven by the discovery of military equipment in trucks "delivering humanitarian aid to the refugees" detained near the Turkish-Syrian border.

ISIL combat units use off-road pickup trucks, mounting various weapons on them. According to data from the Turkish Statistical Institute, the delivery of fuel trucks, trailers, semitrailers and off-road vehicles from Turkey to the Syrian Arab Republic increased nine fold from 2012 to 2015. Over four years, around 400 vehicles worth US$ 7.2 million were supplied. The value of supplies for the first nine months in 2015 was US$ 3.2 million.

Weapons and ammunition are provided to ISIL via uncontrolled parts of the Syrian Arab Republic's State border with Turkey and Iraq. The Syrian border crossings Bab al-Hawa (10 km south-east of Reyhanlı), Bab al-Salam (6 km north-east of Azaz) and Jerablus (105 km north-east of Aleppo) are used for the delivery of weapons and ammunition from Turkey.

United Nations S/2016/95

Security Council

Distr.: General
2 February 2016
English
Original: Arabic

Identical letters dated 31 January 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to apprise you of the terrorist bombings that occurred on Sunday, 31 January 2016, in the Sayidah Zaynab residential area of Rif Dimashq governorate.

On Sunday afternoon, armed terrorist groups detonated a car bomb at a bus stop in the Ku' al Sudan neighbourhood of the Sayidah Zaynab area, which is located in Rif Dimashq governorate. Ku' al Sudan is a residential neighbourhood teeming with civilians. Two suicide attackers then detonated explosive belts amidst the ambulance teams and civilians who had come to rescue the victims of the terrorist bombing. The preliminary death toll stands at 60 civilians; more than 110 civilians were also injured, some critically, and the homes and infrastructure in the area sustained severe material damage.

Those cowardly and deplorable terrorist bombings are part of the efforts of the armed terrorist groups, which are backed by the Governments of such countries as Tukey, Saudi Arabia and Qatar, to impede current efforts aimed at launching an intra-Syrian dialogue under Syrian leadership. Those attacks are also part of the terrorists' efforts to terrorize innocent Syrian civilians and lift the morale of the armed terrorist groups, which are suffering defeats daily as the Syrian Arab Army experiences great success in restoring security and peace to those areas in which the armed terrorist groups are active. In their statement, the perpetrators of this crime said that this bombing had been carried out to support the opposition delegation that is coming from Riyadh to negotiate with the Government delegation at Geneva, under the auspices of Mr. Staffan de Mistura.

The Government of the Syrian Arab Republic reaffirms that the Security Council must take preventive measures against those States that support and finance terrorism, in implementation of the Council's relevant resolutions, including resolutions 2170 (2014), 2178 (2014), 2199 (2015) and 2253 (2015). The Government also stresses that the Council must avoid politicization and the application of double standards with regard to counter-terrorism, respect the relevant principles of international law and support the counter-terrorism efforts of the Government of the Syrian Arab Republic. The Government furthermore calls on the Secretary-General and the Security Council to condemn today's bombings and

the other cowardly terrorist bombings that have been directed against peaceful civilians in many Syrian neighbourhoods and cities.

I should be grateful if the present letter could be issued as a document of the Security Council.

(*Signed*) Mounzer **Mounzer**
Chargé d'affaires a.i.

United Nations S/2016/96

Security Council

Distr.: General
2 February 2016

Original: English

Letter dated 1 February 2016 from the Ombudsperson addressed to the President of the Security Council

I have the honour to submit herewith the eleventh report of the Office of the Ombudsperson, pursuant to paragraph 20 (c) of annex II to Security Council resolution 2253 (2015), according to which the Ombudsperson shall submit biannual reports to the Council summarizing her activities. The report describes the activities of the Office in the period since the previous report was issued, covering the period from 14 July 2015 to 31 January 2016.

I would appreciate it if the present letter and the report were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Catherine **Marchi-Uhel**
Ombudsperson

16-01351 (E) 110216

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Report of the Office of the Ombudsperson, submitted pursuant to Security Council resolution 2253 (2015)

I. Background

1. By its resolution 2253 (2015), adopted on 17 December 2015, the Security Council extended the mandate of the Office of the Ombudsperson until 17 December 2019.

2. The mandate of Kimberly Prost, the first Ombudsperson, ended on 13 July 2015.

3. The Secretary-General appointed Catherine Marchi-Uhel as Ombudsperson on 13 July 2015 (S/2015/534), and she took up her official duties on 27 July 2015.

4. The present report provides an update on the activities undertaken by the Office of the Ombudsperson since the issuance of the tenth report of the Office (S/2015/533) on 13 July 2015.

II. Activities related to delisting cases

General

5. The primary activities of the Office of the Ombudsperson during the reporting period related to delisting requests submitted by individuals and entities.

Delisting cases

6. During the reporting period, two new cases were submitted to and accepted by the Office of the Ombudsperson. One further request for delisting was submitted, but the Ombudsperson determined that it did not sufficiently address the listing criteria set forth in paragraph 2 of resolution 2161 (2014), and further information has been sought in accordance with paragraph 1 (d) of annex II to the same resolution. No response had been received at the time of reporting. The total number of delisting petitions submitted since the establishment of the Office is 66 as at 31 January 2016. Unless the petitioner requests otherwise, all names remain confidential while under consideration and in the case of denial or withdrawal of a petition.

7. In total, the Ombudsperson has submitted 63 comprehensive reports to the Security Council Committee pursuant to resolutions 1267 (1999), 1989 (2011) and 2253 (2015) concerning Islamic State in Iraq and the Levant (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities since the Office was established. During the reporting period, she submitted two reports and appeared before the Committee on three occasions to present six cases.

8. Since the issuance of the tenth report, four individuals[1] have been delisted, and the names of three individuals have been retained through the Ombudsperson process.

[1] Al Sayyid Ahmed Fathi Hussein Eliwah, Mohammed Ahmed Shawki al Islambolly, Yasser Mohamed Ismail Abu Shaweesh and Abd al Wahab Abd al Hafiz.

9. Cumulatively, since the Office was established, 63 cases involving requests made to the Ombudsperson from an individual, an entity or a combination of both have been resolved through the Ombudsperson process or through a separate decision of the Committee. In the 59 cases fully completed through the Ombudsperson process, 43 individuals and 28 entities have been delisted, 1 entity has been removed as an alias of a listed entity, and 11 delisting requests have been refused. In addition, three individuals were delisted by the Committee before the Ombudsperson process was completed, and one petition was withdrawn following the submission of the comprehensive report. A description of the status of all of the cases, as at 31 January 2016, is contained in the annex to the present report.

10. There were three cases pending before the Ombudsperson in the information-gathering/dialogue phase at the time of reporting. The two requests submitted to the Office during the reporting period were presented by individuals. To date, in total, 58 of the 66 cases have been brought by individuals, 2 by an individual together with one or more entities and 6 by entities alone. In 32 of the 66 cases, the petitioner is or was assisted by legal counsel.

Gathering of information from States

11. In the two new cases, 10 requests for information have been sent so far to 10 States. With respect to the two cases for which comprehensive reports were submitted to the Committee during the reporting period, there were no instances when a State from which information had been requested failed to respond. In addition to the responses received from States to which requests were specifically directed, some Committee members provided information as a result of the general circulation of petitions.

12. During the reporting period, the Ombudsperson met on two occasions with officials in a capital on a specific case to gather information directly.

13. During the reporting period, the Ombudsperson did not shorten the information-gathering period, as provided for in paragraph 3 of annex II to resolution 2161 (2014), which provides the Ombudsperson with the discretion to shorten the information-gathering period in cases where all designating States consulted do not object to delisting.

Dialogue with the petitioner

14. During the reporting period, the Ombudsperson and her Office interacted with all petitioners during the dialogue phase of pending cases, including through e-mail exchanges, telephone discussions and face-to-face interviews. The Ombudsperson also travelled to interview two petitioners in person.

Provision of comprehensive reports to interested States

15. Paragraph 13 of annex II to Security Council resolution 2253 (2015) stipulates that, if requested, the Ombudsperson may provide a copy of the comprehensive report to an interested State (designating State, State of nationality, residence or incorporation) with the approval of the Committee and any redactions needed to protect confidential material. During the reporting period, the Ombudsperson received three requests for disclosure from States. They have all been approved by the Committee and transmitted.

Access to classified or confidential information

16. One new arrangement for access to classified or confidential information was entered into, with the United States of America, during the reporting period. In addition, Syria has indicated its willingness to share confidential information on an ad hoc basis. To date, there is one formal agreement with Austria and 16 arrangements with Australia, Belgium, Costa Rica, Denmark, Finland, France, Germany, Ireland, Liechtenstein, Luxembourg, the Netherlands, New Zealand, Portugal, Switzerland, the United Kingdom of Great Britain and Northern Ireland and the United States. A limited number of arrangements concluded previously contained language clearly indicating or suggesting that the arrangement was between the State and the previous Ombudsperson personally. The current Ombudsperson engaged with these States and obtained confirmation that the arrangement remains in force with the Office under her tenure. Such confirmation has yet to be formally received from one State.

17. Efforts to expand the list of arrangements/agreements have continued during the reporting period and, hopefully, further progress will be made in the coming months. Some States have confirmed that they are considering the possibility of entering into an information-sharing agreement and that, in the meantime, they will consider the possibility of providing information on an ad hoc basis.

III. Summary of activities related to the development of the Office of the Ombudsperson

General

18. Activities to further develop and strengthen the Office of the Ombudsperson continued during the reporting period to the extent possible.

Outreach and publicizing of the Office

19. The Ombudsperson participated in some outreach activities, as far as possible given the limitations on time and resources.

20. On 8 October 2015, the Ombudsperson delivered a presentation on the Al-Qaida sanctions regime and the work of the Office at a workshop, co-organized by the United Nations Office on Drugs and Crime and the Parliamentary Assembly of the Mediterranean and hosted by the Parliament of Romania, on the challenges posed by a preventative criminal justice response to terrorism and to foreign terrorist fighters, held in Bucharest. On 17 December 2015, at a final round-table meeting, held in Malta, the Ombudsperson delivered a presentation on the work of the Office of the Ombudsperson and assisted with the development of guidelines with regard to dealing with terrorism cases while safeguarding human rights. This was in the context of a project funded by the European Union entitled "Supporting Senior Judicial Officials in Leading a Criminal Justice Response to Terrorism: Europe, the Middle East and North Africa". The meeting was organized by the Global Center on Cooperative Security and the Institute for Security Studies, with the expert support of the Counter-Terrorism Committee Executive Directorate.

Interaction with the Islamic State in Iraq and the Levant (Da'esh) and Al-Qaida sanctions Committee

21. Since 14 July 2015, the Ombudsperson has appeared before the Committee on five occasions. On 16 July 2015, she was introduced to the Committee. Subsequently, she appeared before the Committee to present six cases: on 27 July 2015, she presented a case in which the petitioner was retained on the list; on 24 August 2015, she presented the cases of Yasser Mohamed Ismail Abu Shaweesh (delisted; formerly QIA. 201.05), Mohammed Ahmed Shawki al Islambolly (delisted; formerly QDi.194) and one case in which the petitioner was retained on the List; and on 23 December 2015, she presented the case of Abd al Wahab Abd al Hafiz (delisted; formerly QDi.157) and one case in which the petitioner was retained on the list. In four of these six cases, the comprehensive reports had been prepared by the former Ombudsperson. In those cases, the current Ombudsperson introduced the cases and the former Ombudsperson orally presented her reports and answered questions from Committee members. On 27 January 2016, the Ombudsperson informally briefed the Committee on her intention to update the section on the website, entitled "Approach to Assessment of Information" (see para. 36 below) and provided her reasons for the update. In addition, she provided a number of written updates to the Committee in relation to various cases as they progressed through each phase.

22. As previously, the Ombudsperson and staff in her Office have continued to engage regularly with the Coordinator and members of the Monitoring Team. The Team has continued to provide relevant information in accordance with paragraph 4 of annex II to Security Council resolution 2253 (2015). During the reporting period, the Team assisted the Office of the Ombudsperson in reviewing information that had been gathered that was in Arabic and helped the Office with Arabic-language communications with petitioners and other individuals contacted by the Office. The Team also gave expert advice on issues relevant to particular delisting requests.

Liaison with States, intergovernmental organizations, United Nations bodies and non-governmental organizations

23. The Ombudsperson and staff in her Office continued to interact with States during the reporting period, in particular States of relevance to the pending delisting petitions. During the reporting period, the Ombudsperson and staff in her Office had several bilateral meetings with States interested in the work of the Office in order to discuss general issues, including issues related to transition between the former and current Ombudsperson. The Ombudsperson continued discussions initiated by her predecessor with a number of States concerning agreements or arrangements on access to confidential or classified information, and she engaged with other States on this issue. In these consultations, the Ombudsperson stressed the importance for States to also share relevant public and declassified information with the Office. This would allow the Ombudsperson to focus her independent research on other critical aspects of the cases. The Ombudsperson also established contacts with the informal Group of Like-Minded States on Targeted Sanctions[2] and with representatives of the European Union and of the European Commission. As noted above, the Ombudsperson also met with some State officials in their capitals for general discussions and to obtain information regarding particular cases.

[2] Comprising Austria, Belgium, Costa Rica, Denmark, Germany, Finland, Liechtenstein, the Netherlands, Norway, Sweden and Switzerland.

24. The Ombudsperson and staff in her Office continued to interact with representatives of the Counter-Terrorism Implementation Task Force and the Counter-Terrorism Committee Executive Directorate, as well as with the Office of the United Nations High Commissioner for Human Rights. She discussed general legal issues of relevance with staff of the Office of Legal Affairs and that Office has continued to provide assistance to the Ombudsperson on various matters. The Ombudsperson also discussed specific aspects of due process in the context of the Al-Qaida sanctions regime with the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. She also interacted with members and former members of the Committee on Enforced Disappearances and the Working Group on Arbitrary Detention to obtain information regarding a specific case.

25. The Ombudsperson further interacted with non-governmental organizations, including Security Council Report and Human Rights Watch.

26. During the reporting period, the Ombudsperson also engaged extensively with her predecessor in the context of the transition and to ensure the continuity of approaches.

Working methods and research

27. As previously, casework during the reporting period involved open-source research and contacts with journalists, experts and academics to collect information and verify sources for publicly available case-related material.

28. The Ombudsperson continued to follow developments and collected information with regard to relevant national and regional legal cases.

Website

29. The website of the Office of the Ombudsperson (www.un.org/sc/suborg/en/ombudsperson) has continued to be revised and updated. The Office has also prepared an update to the section on the website, entitled "Approach to Assessment of Information" (see para. 36 below). The Ombudsperson expressed the hope to post the update on the website shortly.

IV. Observations and conclusions

Fair process

Transition

30. The present report marks the transition between the former and the current Ombudsperson, after five years of the implementation of the mandate of the Office of the Ombudsperson.

31. When the mandate of the former Ombudsperson ended on 13 July 2015, eight cases remained pending at different stages of the process. Of these, four cases were at a stage where they required the substantive involvement of both the former and the current Ombudsperson. In those cases, the former Ombudsperson had submitted the comprehensive reports but the cases were scheduled for oral presentation only after completion of her tenure.

32. The Ombudsperson agreed with her predecessor that the latter should be associated with the oral presentation of these transition cases to the Committee, in fairness to the petitioners. These cases were presented to the Committee on 27 July and 24 August 2015. The current Ombudsperson formally introduced each case and, in compliance with procedural requirements,[3] her predecessor presented the comprehensive reports that she had submitted on the delisting requests and made herself available to answer questions from Committee members. All of these cases were therefore presented to the Committee within the timelines prescribed by the Security Council. This includes the case specifically mentioned by the former Ombudsperson in her last report to the Security Council (see S/2015/533). All of these cases have now been disposed of by the Committee, following the review by and recommendations of the Ombudsperson. One individual was delisted on 18 August 2015, within the prescribed timeline. The three remaining cases were unaffected by the transition because of their stages at the time of transition.

33. The transition between mandate holders and the 13-day gap between their tenures therefore did not affect the fairness in any of the pending cases during the transition. However, the Ombudsperson stresses the importance of making timely arrangements in future to avoid any serious impact the next transition could have on the fairness to petitioners.

Assessment during the reporting period

34. All the Committee decisions on delisting petitions made during the reporting period were premised solely on information gathered by the Ombudsperson and followed her recommendations. In no case did the Committee take a decision by consensus contrary to the recommendation, and no matter was referred to the Security Council. While confidential material was considered in two transition cases during the reporting period, the Ombudsperson remained satisfied that the petitioner was still aware of the substance of the case to be met. In terms of knowing and responding to the case and benefiting from an independent review and the availability of an effective remedy, all of the cases met these fundamental requirements of fairness.

Consistency of approach

35. During the transition, the Ombudsperson familiarized herself with the eight cases pending at the time and had extensive exchanges with her predecessor in this context. In addition, the Ombudsperson reviewed the facts and analysis contained in the comprehensive reports prepared by her predecessor in the 58 cases already disposed of by the Committee. This review aimed at ensuring a consistency of approach. If the Ombudsperson were at any stage to even slightly depart from a previous approach, it would have to be with full knowledge of the case and with cogent reasons to do so, not as a result of a lack thereof. While conducting this review, the Ombudsperson identified relevant excerpts and organized them by keywords and themes in such a way that can be updated as cases progress. It can also be used as an internal database and a legacy tool for future Ombudspersons and staff of the Office.

[3] Paragraph 3 (d) of the Committee Guidelines requires the Chair to invite the Ombudsperson to present his/her comprehensive report on any delisting request.

Transparency of the process

General information about the process

36. In her interaction with petitioners and their counsel during the first few months of her term, the Ombudsperson has measured how the absence of publicly available case law, or its equivalent, of the practice of the Ombudsperson affects the ability of petitioners to efficiently present their case. Given that comprehensive reports are not made publicly available, even duly diligent counsel cannot review the past practice of the Ombudsperson to assist their client. The former Ombudsperson issued statements, made available on the website of the Office, with respect to two important aspects of her approach to her work concerning the standard applicable to the review of delisting requests and the assessment of information. The former Ombudsperson published the second document in November 2012 in response to grave concerns expressed by the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism. It was therefore published at a time when only 22 reports had concluded through the Ombudsperson process, almost a third of the cases concluded as at present. In the current situation, comprehensive reports and their contents are strictly confidential. In fairness to petitioners, it is necessary to make publicly available as much information as possible about the Ombudsperson process. To that end, the Ombudsperson has decided to expand and update the second statement to address other aspects of the assessment of information that are not currently covered, including the approaches to inferences and to analysis of association and disassociation. On 27 January 2016, the Ombudsperson informally briefed the Committee on this initiative. She also consulted the Monitoring Team, the Office of Legal Affairs and the Office of the United Nations High Commissioner for Human Rights on the draft document. The document has now been circulated for information to members of the Committee. The Ombudsperson will review any comments received prior to finalizing and placing the document on the website of the Office, within the next few weeks. It is expected that increasing the transparency of the process before the Ombudsperson will be a valuable preparatory tool for petitioners and their counsel. The Ombudsperson also expressed the hope that it would bring more confidence and credibility to the mechanism.

Interested States

37. As discussed in the eighth, ninth and tenth reports (see S/2014/553; S/2015/80, para. 39; and S/2015/533, para. 38), consideration should be given to allowing for more general access by States to the comprehensive reports of the Ombudsperson. During the reporting period, three interested States sought the release of a comprehensive report, illustrating the continued attention to the process. The Ombudsperson fully seconds the proposal by her predecessor that, as an initial step, the body of interested States could be expanded from the designating States and States of residence/nationality/incorporation to any State from which information was sought or provided in the particular case. These States often have a significant relevant interest in the particular case for a variety of reasons, and access to the comprehensive report could be of value and assistance to the authorities of the State. Any issues of confidentiality which arise can easily be addressed through redactions.

The petitioner

38. The absence of access by petitioners to the comprehensive report in their cases remains of concern and amounts to a lacuna in terms of fairness in the context of the Ombudsperson mechanism (see S/2015/80, para. 40 and S/2015/533, paras. 39-40).

39. Where the Committee follows the recommendation by the Ombudsperson that it maintain the listing or that it consider delisting the name of the petitioner from the Islamic State in Iraq and the Levant (ISIL) (Da'esh) and Al-Qaida Sanctions List, the petitioner receives a letter summarizing the reasons that formed the basis for the Ombudsperson's recommendation, which is not attributable to the Committee or any individual Committee member.

40. In contrast with the significant problems encountered in terms of the substantive content of communications containing reasons in delisting cases that were detailed in the ninth report (see S/2015/80, para. 43), the tenth report described some limited progress made in ensuring that the letters communicating the reasons with regard to the Committee decision generally provide sufficient factual information as to the basis for the decision (see S/2015/533, para. 41).

41. The situation has continued to improve during the reporting period. Summaries conveying the analysis contained in the comprehensive report addressed most of the arguments advanced by the petitioners in the delisting petitions in question; their arguments were also addressed through exchanges with the Ombudsperson. A summary does not, however, convey the comprehensive nature of the report. Only a transmission of the full report or at least of the totality of the section containing the analysis, observations and principal arguments, subject to redaction, would achieve such a result.

42. The Ombudsperson reiterates the suggestion made in the tenth report to address the situation resulting from the delay in notifying the petitioner in the event of retention on the list (see S/2015/533, para. 47). The delay is owing to a specific formal notification process provided for within resolution 2253 (2015), which applies only after the Committee has conveyed the reasons for the retention to the Ombudsperson. This may take up to 60 days after the decision is made to retain the listing. In the interest of fairness and efficiency, consideration should be given to empowering the Ombudsperson to advise the petitioner of the decision to retain the listing immediately after the decision is taken, with a note that reasons will follow within the 60-day timeframe.

Cooperation of States/State support for the Office of the Ombudsperson

43. State cooperation and expressions of support for the Office of the Ombudsperson were strong during the reporting period. Almost all States provided a response to requests for information presented, and all designating States and States of residence/nationality replied in all completed cases. In addition, States across regional groupings have expressed strong support for the work of the Office both during bilateral meetings and at recent debates concerning sanctions.[4]

[4] See e.g. Open Briefing to United Nations Member States by Catherine Marchi-Uhel, Ombudsperson, Security Council Al-Qaida Sanctions Committee, held on 23 November 2015; Letter dated 4 August 2015 from the representatives of Austria, Belgium, Costa Rica, Denmark, Finland, Germany, Liechtenstein, Netherlands, Norway, Sweden and Switzerland to the United Nations addressed to the Secretary-General.

Independence of the Office of the Ombudsperson

44. The previous Ombudsperson highlighted in great detail the deficiencies in the current structural and contractual arrangements and the need to address them in her seventh to tenth reports to the Security Council.

45. In paragraph 46 of its resolution 2161 (2014), the Security Council requested the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson to ensure its continued ability to carry out its mandate in an independent, effective and timely manner.

46. Notwithstanding the earlier request from the Security Council, the deficiencies in question remain. Notably, the Ombudsperson is subject to the same clause of the consultancy contract described in the tenth report as being fundamentally inconsistent with the independent role and functions of the Ombudsperson. Another aspect of the inadequacy of this consultancy contact became apparent during the transition period. The nature of this contract prevented adequate compensation of the former Ombudsperson, who prepared for and presented her comprehensive reports to the Committee in the various cases scheduled on the agenda of the Committee after the completion of her term. Her presence was deemed necessary to comply with the procedural requirement that the Ombudsperson orally present her comprehensive report to the Committee.[5] To maintain fairness to the petitioners and the integrity of the process, it was essential to ensure that the Committee had an opportunity to engage with and pose questions to the author of the comprehensive reports, who had unique knowledge of the case.

47. In addition, based on the contractual arrangement under which the current Ombudsperson was recruited, she was prevented from fully taking part in the recruitment process for a replacement, for the duration of the maternity leave of the only Legal Officer assigned to support the Office. The Ombudsperson was consulted prior to shortlisting the candidates and spoke individually to the few candidates that the recruitment panel ultimately found to be suitable. Her opinion was taken into account before recruitment, but she was denied participation, even as an observer, in the competency-based interviews of candidates shortlisted for the position.

48. In 2015, two documents containing proposals to address the lack of institutional guarantees of independence of the Ombudsperson were prepared. The first document is the Compendium of the High-level Review of United Nations Sanctions (A/69/941-S/2015/432, issued in June 2015). It notably recommends that the Secretary-General propose options for ensuring that the administrative, contractual and other support arrangements for the Ombudsperson be specific to the distinctive role of the Ombudsperson and include institutional protections to allow the Office to actually meet the requirements of an independent office. The second document is a proposal transmitted to the President of the Security Council by the Group of Like-Minded States on Targeted Sanctions (see S/2015/867). The proposal calls for "fair and clear procedures for a more effective United Nations sanctions system", including a suggestion that the Office of the Ombudsperson should

[5] Paragraph 3 (d) of the Committee Guidelines requires the Chair to invite the Ombudsperson to present his/her comprehensive report on any delisting request.

be restructured with a view to institutionalizing it through its transformation into a permanent office or a special political mission office within the Secretariat.[6]

49. In paragraph 59 of its resolution 2253 (2015), the Security Council requested the Secretary-General to continue to strengthen the capacity of the Office of the Ombudsperson and to make the necessary arrangements to ensure its continued ability to carry out its mandate in an independent, effective and timely manner, and to provide the Committee an update on actions taken in six months. The Ombudsperson is encouraged by this request and looks forward to the specific actions to be taken to adequately address the above-mentioned deficiencies and to provide institutional safeguards to ensure the independence of the Office.

Conclusion

50. The establishment of the Ombudsperson mechanism and its progressive reinforcement helps to make the ISIL (Da'esh) and Al-Qaida sanctions regime more consistent with fundamental human rights obligations.

51. With regard to due process, the ISIL (Da'esh) and Al-Qaida sanctions regime is certainly the most robust of the targeted sanctions regimes adopted by the Security Council, under Chapter VII of the Charter of the United Nations, in response to threats against international peace and security. This no doubt reinforces the credibility of this regime and has in turn assisted States in implementing the sanctions imposed by the Committee.

52. As has been highlighted in the present and previous reports, however, there remain areas for improvement. Notably, the Ombudsperson shares her predecessor's assessment that the process before the Ombudsperson remains unnecessarily shrouded in mystery. As long as comprehensive reports, or parts of them demonstrating the reasoned nature of the process, are not made publicly available, every effort must be made to inform petitioners and the general public about the process before the Ombudsperson. It is hoped that the update to the information available on the website of the Office relating to the Ombudsperson's approach to the assessment of information will help to shed some light on the process.

[6] The Group of Like-Minded States on Targeted Sanctions had previously brought these concerns to the attention of the Security Council in April 2014 and in June 2015 (S/2014/286 and S/2015/459). They noted in the latter document that "the status and privileges of the position should fully reflect the independence required to perform the tasks of the Ombudsperson effectively. Furthermore, the applicable administrative arrangements in place for budgeting, staffing, staff management and resource utilization at the Office of the Ombudsperson lack the critical features of autonomy. In fact, structurally no Office of the Ombudsperson has been created despite the decision in Security Council resolution 1904 (2009)."

Annex

Status of cases

Case 1, one individual (Status: denied)

Date	*Description*
28 July 2010	Transmission of case 1 to the Committee
28 February 2011	Comprehensive report submitted to the Committee
10 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision
1 September 2011	Formal notification to petitioner with reasons

Case 2, Safet Ekrem Durguti (Status: delisted)

Date	*Description*
30 September 2010	Transmission of case 2 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

Case 3, one entity (Status: delisting request withdrawn by petitioner)

Date	*Description*
3 November 2010	Transmission of case 3 to the Committee
14 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of comprehensive report by the Ombudsperson to the Committee
2 August 2011	Withdrawal of petition

Case 4, Shafiq Ben Mohamed Ben Mohammed Al Ayadi (Status: delisted)

Date	*Description*
6 December 2010	Transmission of case 4 to the Committee
29 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 October 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

Case 5, Tarek Ben Al-Bechir Ben Amara Al-Charaabi (Status: delisted)

Date	*Description*
30 December 2010	Transmission of case 5 to the Committee
26 April 2011	Comprehensive report submitted to the Committee
31 May 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 June 2011	Committee decision to delist
12 August 2011	Formal notification to petitioner with reasons

Case 6, Abdul Latif Saleh (Status: delisted)

Date	*Description*
14 January 2011	Transmission of case 6 to the Committee
17 June 2011	Comprehensive report submitted to the Committee
26 July 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 August 2011	Committee decision to delist
8 November 2011	Formal notification to petitioner with reasons

Case 7, Abu Sufian Al-Salamabi Muhammed Ahmed Abd Al-Razziq (Status: delisted)

Date	*Description*
28 January 2011	Transmission of case 7 to the Committee
23 September 2011	Comprehensive report submitted to the Committee
15 November 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 November 2011	Committee decision to delist
13 February 2012	Formal notification to petitioner with reasons

Case 8, Ahmed Ali Nur Jim'ale and 23 entities[a] (Status: delisted)

Date	*Description*
17 March 2011	Transmission of case 8 to the Committee
23 September 2011	Comprehensive report submitted to the Committee
13 December 2011	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 December 2011	Committee decision to delist six entities
21 February 2012	Committee decision to delist one individual and 17 entities
8 June 2012	Formal notification to petitioner with reasons

[a] Barakaat North America, Inc., Barakat Computer Consulting, Barakat Consulting Group, Barakat Global Telephone Company, Barakat Post Express, Barakat Refreshment Company, Al Baraka Exchange, LLC, Barakaat Telecommunications Co. Somalia, Ltd., Barakaat Bank of Somalia, Barako Trading Company, LLC, Al-Barakaat, Al-Barakaat Bank, Al-Barakaat Bank of Somalia, Al-Barakat Finance Group, Al-Barakat Financial Holding Co., Al-Barakat Global Telecommunications, Al-Barakat Group of Companies Somalia Limited, Al-Barakat International, Al-Barakat Investments, Barakaat Group of Companies, Barakaat Red Sea Telecommunications, Barakat International Companies and Barakat Telecommunications Company Limited.

Case 9, Saad Rashed Mohammed Al-Faqih and Movement for Reform in Arabia (Status: delisted)

Date	*Description*
19 April 2011	Transmission of case 9 to the Committee
21 February 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
1 July 2012	Committee decision to delist
13 November 2012	Formal notification to petitioner with reasons

Case 10, Ibrahim Abdul Salam Mohamed Boyasseer (Status: delisted)

Date	*Description*
6 May 2011	Transmission of case 10 to the Committee
9 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
8 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 11, Mondher ben Mohsen ben Ali al-Baazaoui (Status: delisted)

Date	*Description*
1 June 2011	Transmission of case 11 to the Committee
19 January 2012	Comprehensive report submitted to the Committee
1 March 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 March 2012	Committee decision to delist
10 July 2012	Formal notification to petitioner with reasons

Case 12, Kamal ben Mohamed ben Ahmed Darraji (Status: delisted)

Date	*Description*
30 June 2011	Transmission of case 12 to the Committee
28 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
4 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 13, Fondation Secours Mondial (Status: amended[b])

Date	*Description*
7 July 2011	Transmission of case 13 to the Committee
14 December 2011	Comprehensive report submitted to the Committee
24 January 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 February 2012	Committee decision to amend
9 July 2012	Formal notification to petitioner with reasons

[b] Amended to be removed as an alias of Global Relief Foundation (QE.G.91.02.).

Case 14, Sa'd Abdullah Hussein al-Sharif (Status: delisted)

Date	*Description*
20 July 2011	Transmission of case 14 to the Committee
29 February 2012	Comprehensive report submitted to the Committee
3 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 April 2012	Committee decision to delist
5 June 2012	Formal notification to petitioner with reasons

Case 15, Fethi ben al-Rebei Absha Mnasri (Status: delisted)

Date	*Description*
4 August 2011	Transmission of case 15 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 16, Mounir Ben Habib Ben al-Taher Jarraya (Status: delisted)

Date	*Description*
15 August 2011	Transmission of case 16 to the Committee
9 March 2012	Comprehensive report submitted to the Committee
17 April 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 May 2012	Committee decision to delist
3 August 2012	Formal notification to petitioner with reasons

Case 17, Rachid Fettar (Status: delisted)

Date	*Description*
26 September 2011	Transmission of case 17 to the Committee
27 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 18, Ali Mohamed El Heit (Status: delisted)

Date	*Description*
5 October 2011	Transmission of case 18 to the Committee
2 May 2012	Comprehensive report submitted to the Committee
3 July 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 July 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 19, Yassin Abdullah Kadi (listed as Yasin Abdullah Ezzedine Qadi) (Status: delisted)

Date	*Description*
16 November 2011	Transmission of case 19 to the Committee
11 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
5 October 2012	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 20, Chabaane ben Mohamed ben Mohamed al-Trabelsi (Status: delisted)

Date	*Description*
21 November 2011	Transmission of case 20 to the Committee
23 April 2012	Comprehensive report submitted to the Committee
5 June 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 June 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 21, Adel Abdul Jalil Ibrahim Batterjee (Status: delisted)

Date	*Description*
3 January 2012	Transmission of case 21 to the Committee
10 October 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 January 2013	Committee decision to delist
5 September 2013	Formal notification to petitioner with reasons

Case 22, Ibrahim ben Hedhili ben Mohamed al-Hamami (Status: delisted)

Date	*Description*
6 February 2012	Transmission of case 22 to the Committee
25 September 2012	Comprehensive report submitted to the Committee
6 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
21 November 2012	Committee decision to delist
7 February 2013	Formal notification to petitioner with reasons

Case 23, Suliman Hamd Suleiman Al-Buthe (Status: delisted) (Repeated request)

Date	*Description*
23 February 2012	Transmission of case 23 to the Committee
30 August 2012	Comprehensive report submitted to the Committee
27 November 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
10 February 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

Case 24, Mamoun Darkazanli (Status: delisted)

Date	*Description*
28 February 2012	Transmission of case 24 to the Committee
12 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 March 2013	Committee decision to delist
30 August 2013	Formal notification to petitioner with reasons

Case 25, Abdullahi Hussein Kahie (Status: delisted)

Date	*Description*
28 February 2012	Transmission of case 25 to the Committee
26 July 2012	Comprehensive report submitted to the Committee
10 September 2012	Presentation of the comprehensive report by the Ombudsperson to the Committee
26 September 2012	Committee decision to delist
19 December 2012	Formal notification to petitioner with reasons

Case 26, Usama Muhammed Awad Bin Laden (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 21 February 2013

Date	*Description*
23 April 2012	Transmission of case 26 to the Committee
15 February 2013	Comprehensive report submitted to the Committee
21 February 2013	Committee decision to delist

Case 27, one individual (Status: denied)

Date	*Description*
7 May 2012	Transmission of case 27 to the Committee
11 February 2013	Comprehensive report submitted to the Committee
7 May 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
7 May 2013	Committee decision to retain listing
12 June 2013	Formal notification to petitioner with reasons

Case 28, one individual (Status: denied)

Date	*Description*
7 June 2012	Transmission of case 28 to the Committee
20 November 2012	Comprehensive report submitted to the Committee
8 January 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
8 January 2013	Committee decision to retain listing
29 January 2013	Formal notification to petitioner with reasons

Case 29, Muhammad 'Abdallah Salih Sughayr (Status: delisted)

Date	*Description*
25 July 2012	Transmission of case 29 to the Committee
9 April 2013	Comprehensive report submitted to the Committee
21 May 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
20 July 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 30, Lajnat Al Daawa Al Islamiya (LDI) (Status: delisted)

Date	*Description*
25 July 2012	Transmission of case 30 to the Committee
15 April 2013	Comprehensive report submitted to the Committee
2 July 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 31, Abd al Hamid Sulaiman Muhammed al-Mujil (Status: delisted)

Date	*Description*
1 August 2012	Transmission of case 31 to the Committee
13 March 2013	Comprehensive report submitted to the Committee
30 April 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 June 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 32, Mohamed ben Mohamed ben Khalifa Abdelhedi (Status: delisted)

Date	*Description*
19 September 2012	Transmission of case 32 to the Committee
5 March 2013	Comprehensive report submitted to the Committee
16 April 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
1 May 2013	Committee decision to delist

Case 33, Mohammed Daki (Status: delisted)

Date	*Description*
12 October 2012	Transmission of case 33 to the Committee
28 May 2013	Comprehensive report submitted to the Committee
30 July 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
16 August 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 34, Abdelghani Mzoudi (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 18 March 2013

Date	*Description*
8 November 2012	Transmission of case 34 to the Committee
18 March 2013	Committee decision to delist

Case 35, International Islamic Relief Organization, Philippines, Branch Offices (Status: delisted)

Date	*Description*
13 December 2012	Transmission of case 35 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 36, International Islamic Relief Organization, Indonesia, Branch Offices (Status: delisted)

Date	*Description*
13 December 2012	Transmission of case 36 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 37, Jaber Abdullah Jaber Ahmed Al-Jalahmah (Status: delisted)[c]

Date	*Description*
4 February 2013	Transmission of case 37 to the Committee
5 September 2013	Comprehensive report submitted to the Committee
1 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 January 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

[c] Jaber Abdullah Jaber Ahmed Al-Jalahmah was re-listed on the same date by a separate Committee decision.

Case 38, Moustafa Abbas (listed as Moustafa Abbes) (Status: delisted)

Date	*Description*
13 February 2013	Transmission of case 38 to the Committee
12 August 2013	Comprehensive report submitted to the Committee
13 September 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
30 September 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 39, Atilla Selek (Status: delisted)

Date	*Description*
13 February 2013	Transmission of case 39 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 40, Youssef ben Abdul Baki Ben Youcef Abdaoui (Status: delisted)

Date	*Description*
4 March 2013	Transmission of case 40 to the Committee
14 November 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 April 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 41, L'hadi Bendebka (listed as Abdelhadi Ben Debka) (Status: delisted)

Date	*Description*
12 March 2013	Transmission of case 41 to the Committee
14 October 2013	Comprehensive report submitted to the Committee
3 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
18 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 42, Youcef Abbas (listed as Youcef Abbes (Status: delisted)

Date	*Description*
4 March 2013	Transmission of case 42 to the Committee
2 October 2013	Comprehensive report submitted to the Committee
15 November 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
3 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 43, Said Yousef AbouAziz (listed as Said Youssef Ali Abu Aziza) (Status: delisted)
Ombudsperson case became moot following the Committee's decision of 26 August 2013

Date	*Description*
27 March 2013	Transmission of case 43 to the Committee
26 August 2013	Committee decision to delist

Case 44, one individual (Status: denied)

Date	*Description*
2 May 2013	Transmission of case 44 to the Committee
4 February 2014	Comprehensive report submitted to the Committee
21 April 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
21 April 2014	Committee decision to retain listing
30 July 2014	Formal notification to petitioner with reasons

Case 45, one individual (Status: denied)

Date	*Description*
6 May 2013	Transmission of case 45 to the Committee
9 December 2013	Comprehensive report submitted to the Committee
11 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 February 2014	Committee decision to retain listing
17 March 2014	Formal notification to petitioner with reasons

Case 46, Yacine Ahmed Nacer (Status: delisted)

Date	*Description*
10 May 2013	Transmission of case 46 to the Committee
30 December 2013	Comprehensive report submitted to the Committee
25 February 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
13 March 2014	Committee decision to delist
25 August 2014	Formal notification to petitioner with reasons

Case 47, Nabil Benatia (listed as Nabil ben Mohamed ben Ali ben Attia) (Status: delisted)

Date	*Description*
3 June 2013	Transmission of case 47 to the Committee
12 November 2013	Comprehensive report submitted to the Committee
13 December 2013	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 December 2013	Committee decision to delist
25 August 2014	Formal notification to petitioner ith reasons

Case 48, Wael Hamzah Jelaidan (listed as Wa'el Hamza Abd al-Fatah Julaidan) (Status: delisted)

Date	*Description*
17 June 2013	Transmission of case 48 to the Committee
19 March 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
25 August 2014	Committee decision to delist
29 October 2014	Formal notification to petitioner with reasons

Case 49, one individual (Status: denied)

Date	*Description*
24 June 2013	Transmission of case 49 to the Committee
3 April 2014	Comprehensive report submitted to the Committee
24 June 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
24 June 2014	Committee decision to retain listing
10 September 2014	Formal notification to petitioner with reasons

Case 50, Al-Haramain Foundation (USA) (Status: delisted)

Date	*Description*
5 September 2013	Transmission of case 50 to the Committee
30 June 2014	Comprehensive report submitted to the Committee
26 August 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
25 October 2014	Committee decision to delist
29 December 2014	Formal notification to petitioner with reasons

Case 51, Aqeel Abdulaziz Aqeel Al-Aqeel (Status: delisted)

Date	*Description*
28 October 2013	Transmission of case 51 to the Committee
18 August 2014	Comprehensive report submitted to the Committee
31 October 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
3 March 2015	Formal notification to petitioner with reasons

Case 52, one individual (Status: denied)

Date	*Description*
27 May 2014	Transmission of case 52 to the Committee
18 February 2015	Comprehensive report submitted to the Committee
14 April 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
14 April 2015	Committee decision to retain listing
10 June 2015	Formal notification to petitioner with reasons

Case 53, Abd al-Rahman Muhammad Jaffar 'Ali (Status: delisted)

Date	*Description*
13 June 2014	Transmission of case 53 to the Committee
9 December 2014	Comprehensive report submitted to the Committee
29 January 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
31 March 2015	Committee decision to delist
12 May 2015	Formal notification to petitioner with reasons

Case 54, Abdul Rahim Hammad Ahmad al-Talhi (Status: delisted)

Date	*Description*
19 June 2014	Transmission of case 54 to the Committee
29 January 2015	Comprehensive report submitted to the Committee
17 March 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
17 May 2015	Committee decision to delist

Case 55, Ismail Mohamed Ismail Abu Shaweesh (Status: delisted)

Date	*Description*
23 June 2014	Transmission of case 55 to the Committee
10 November 2014	Comprehensive report submitted to the Committee
16 December 2014	Presentation of the comprehensive report by the Ombudsperson to the Committee
2 January 2015	Committee decision to delist
17 February 2015	Formal notification to petitioner with reasons

Case 56, one individual (Status: denied) (Repeated request)

Date	*Description*
5 September 2014	Transmission of case 56 to the Committee
21 April 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
19 June 2015	Committee decision to retain listing
10 July 2015	Formal notification to petitioner with reasons

Case 57, one individual (Status: denied) (Repeated request)

Date	*Description*
9 September 2014	Transmission of case 57 to the Committee
8 June 2015	Comprehensive report submitted to the Committee
27 July 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
27 July 2015	Committee decision to retain listing
20 August 2015	Formal notification to petitioner with reasons

Case 58, one individual (Status: denied)

Date	*Description*
30 August 2014	Transmission of case 58 to the Committee
29 June 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
24 August 2015	Committee decision to retain listing
30 October 2015	Formal notification to petitioner with reasons

Case 59, Al Sayyid Ahmed Fathi Hussein Eliwah (Status: delisted)

Date	*Description*
30 September 2014	Transmission of case 59 to the Committee
12 May 2015	Comprehensive report submitted to the Committee
19 June 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
18 August 2015	Committee decision to delist
2 September 2015	Formal notification to petitioner with reasons

Case 60, Mohammed Ahmed Shawki al Islambolly (Status: delisted)

Date	*Description*
10 November 2014	Transmission of case 60 to the Committee
13 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
26 October 2015	Committee decision to delist
27 October 2015	Formal notification to petitioner with reasons

Case 61, Yasser Mohamed Ismail Abu Shaweesh (Status: delisted)

Date	*Description*
19 January 2015	Transmission of case 61 to the Committee
7 July 2015	Comprehensive report submitted to the Committee
24 August 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
9 September 2015	Committee decision to delist
6 November 2015	Formal notification to petitioner with reasons

Case 62, Abd al Wahab Abd al Hafiz (Status: delisted)

Date	*Description*
11 March 2015	Transmission of case 62 to the Committee
9 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
11 January 2016	Committee decision to delist
22 January 2016	Formal notification to petitioner with reasons

Case 63, one individual (Status: denied)

Date	*Description*
12 March 2015	Transmission of case 63 to the Committee
10 November 2015	Comprehensive report submitted to the Committee
23 December 2015	Presentation of the comprehensive report by the Ombudsperson to the Committee
23 December 2015	Committee decision to retain listing
12 January 2016	Formal notification to petitioner with reasons

Case 64, one individual (Status: dialogue phase)

Date	*Description*
29 May 2015	Transmission of case 64 to the Committee
29 February 2016	Deadline for completion of the dialogue phase

United Nations S/2016/97

Security Council

Distr.: General
2 February 2016

Original: English

Letter dated 28 January 2016 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Disengagement Observer Force (UNDOF), which was established by the Security Council in its resolution 350 (1974) and most recently extended by the Council in its resolution 2257 (2015).

Following the usual consultations, I would like to inform you of my intention to appoint Major General Jai Shanker Menon (India) as the Head of Mission and Force Commander of UNDOF. Major General Menon succeeds Lieutenant General Purna Chandra Thapa (Nepal) who will complete his assignment on 7 February 2016. I would like to take this opportunity to express my gratitude to Lieutenant General Thapa for his dedication and effective leadership of UNDOF.

I should be grateful if you would bring the present letter to the attention of the members of the Security Council.

(*Signed*) **BAN** Ki-moon

16-01373 (E) 020216

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United Nations S/2016/98

Security Council

Distr.: General
2 February 2016

Original: English

Letter dated 1 February 2016 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 28 January 2016 (S/2016/97) concerning your intention to appoint Major General Jai Shanker Menon (India) as the Head of Mission and Force Commander of the United Nations Disengagement Observer Force has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Rafael Darío **Ramírez Carreño**
President of the Security Council

16-01374 (E) 020216

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United Nations S/2016/99

Security Council

Distr.: General
1 February 2016

Original: English

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 16 October 2015 to 15 January 2016.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues its constructive engagement with Pristina and Belgrade, all communities in Kosovo and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with the statement by the President of the Security Council of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes work closely with the Mission.

II. Key political developments

3. The reporting period was marked by continued disruption of the functioning of the Assembly of Kosovo by opposition lawmakers protesting, in part, against a package of agreements adopted in August 2015 under the European Union-facilitated dialogue between Belgrade and Pristina. Despite this, progress was achieved in the European integration process. On 27 October, the Prime Minister of Kosovo, together with his Minister of European Integration, signed a Stabilization and Association Agreement with the European Union High Representative for Foreign Affairs and Security Policy as well as the Commissioner for European Neighbourhood Policy and Enlargement Negotiations. On 2 November, the Assembly of Kosovo adopted a law ratifying the agreement. All opposition representatives but one left the plenary hall minutes before the vote, without disrupting the session.

4. During other Assembly sessions convened during this period, opposition members released tear gas canisters, inside or outside the plenary hall. The publicly

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stated issues of contention were the opposition's rejection of the establishment of the Association/Community of Serb majority municipalities in Kosovo and the agreement on territorial delineation signed with Montenegro. In an attempt to overcome the political impasse and foster dialogue, the President of Kosovo, Atifete Jahjaga, facilitated a series of consultations among political leaders.

5. On 28 November, following violent protests which occurred during celebrations of the Albanian "Flag Day", the Kosovo police detained a number of activists of the opposition "Self-Determination" party, including its co-founder, who was arrested on suspicion of criminal offences relating to the disruption of the Assembly, including for the "use of a weapon or dangerous instrument". On 30 November, the President of the Assembly suspended for the remainder of the day all but two of the opposition party members of the Assembly, invoking article 41 of its rules of procedure regarding disorderly conduct.

6. On 9 January, opposition parties staged a large-scale protest in Pristina, calling for the resignation of the Prime Minister, Isa Mustafa, and the First Deputy Prime Minister and Minister for Foreign Affairs, Hashim Thaçi. Some of the protestors became violent, and this resulted in injuries to persons as well as damage to public property. The "Alliance for the Future of Kosovo" and the "Initiative for Kosovo", two of the three major opposition parties, condemned the violence in statements issued on the same day. On 10 January, however, all three opposition parties announced that protests would continue. Demonstrations held in Pristina on 24 October and on 17 and 18 November had also been marred by violent incidents, as detailed in paragraph 19.

7. On 30 October, President Jahjaga referred the agreements reached in Brussels on 25 August 2015 on the "general principles/main elements" of the Association/Community of Serb majority municipalities in Kosovo to the Constitutional Court of Kosovo for review. On 23 December, the Court ruled that the Association/Community can be established as provided for by the agreement of 19 April 2013. However, the Court also argued that the "general principles/main elements" were not entirely in compliance with the spirit of the Constitution and further ruled that the government should incorporate these conclusions in subsequent legal acts. On 24 December, the Prime Minister publicly reaffirmed the government's readiness to continue the process of establishing the Association/Community, in keeping with the decision of the Court.

8. No high-level meetings of the European Union-facilitated dialogue were convened during the reporting period. The Government of Serbia consistently expressed concern over the possible adverse effects of internal political conflict in Pristina on the status of the implementation of agreements between Belgrade and Pristina. Nevertheless, continued progress was made in some practical areas of the implementation of agreements. On 4 January, the Government of Austria, on behalf of Kosovo, applied to the International Telecommunication Union for a 3-digit telephone dialling code, in accordance with the action plan on telecommunications agreed under the agreements of 25 August 2015. For their part, the Kosovo authorities decided that they would license the subsidiary of a Serbian company under the Kosovo regulatory framework in compliance with the same action plan.

9. On 10 December, the Belgrade and Pristina Chambers of Commerce agreed to a three-stage plan to harmonize veterinary certificates by the end of March 2016 to overcome technical obstacles to cross-boundary commerce. On 21 December, the

two Chambers convened a Business Forum in Belgrade, exploring further avenues of enhanced commercial cooperation.

10. On 22 November, representatives of the Serbian Armed Forces and KFOR signed an agreement to fully relax the air safety zone. Established by the Kumanovo Military Technical Agreement of 9 June 1999, the air safety zone previously encompassed a 25-km-wide band of Serbian airspace along the Administrative Boundary Line.

11. On 16 December, the Millennium Challenge Corporation of the United States Government confirmed Kosovo's eligibility to develop a compact, which will make available development funding of $60 million-$100 million over a period of five years. The Office of the United Nations Development Coordinator in Kosovo supported the Kosovo institutions towards achieving this milestone.

12. On 18 December, the European Commission adopted the third and final report on Kosovo's progress in fulfilling the requirements of its visa liberalization road map. The Commission noted that Kosovo needed to fulfil eight outstanding requirements, most of which pertained to the rule of law, before the Commission would recommend lifting the visa obligation. The European Union Council conclusions on Kosovo, published earlier in December, stressed the importance of the fulfilment of all conditions set for visa liberalization and encouraged Kosovo to pursue its efforts to make progress.

III. Northern Kosovo

13. In northern Kosovo, implementation of elements of the agreements of 25 August 2015 was mixed. The implementation of the agreed plan for the revitalization of the main Mitrovica bridge and its surroundings began on 17 October. However, a memorandum of understanding delineating the administrative boundaries of cadastral areas in the neighbourhoods of Suvi Do/Suhadoll and Kroi i Vitakut/Brđani remained under discussion, and had yet to be signed.

14. The situation in the ethnically mixed neighbourhood Kroi i Vitakut/Brđani in North Mitrovica remained on the agenda of local and central-level institutions. In November, Kosovo Albanian workers were observed on several occasions clearing plots of land for reconstruction. On 20 November, two Kosovo Albanian workers defied orders from municipal inspectors to cease such activity, and were consequently detained for questioning by Kosovo police. The Inter-Ministerial Working Group on Returns to Kroi i Vitakut/Brđani met on 25 November and 15 December. At the second meeting, the Working Group agreed to grant permission to three Kosovo Albanian families to begin reconstruction of their homes, and the good faith demonstrated by both sides in the process helped in keeping tensions in check.

15. Following its rejection of the budgets proposed by the northern municipal assemblies in September 2015, the Ministry of Finance submitted revised proposals to the municipalities in November, significantly reducing the allocations in the original submissions, in particular regarding capital investments and salary lines. Although both sides attempted to avoid a repeat of the situation in 2015 in which municipal functioning was hampered because of a prolonged budget dispute,

subsequent meetings between the mayors and the government on 9 and 16 December did not yield a compromise and consultations continued.

16. The implementation of the agreement of July 2011 on civil registration documents continued, with the handover of certified copies of pre-1999 civil registry books from Pristina to the northern municipalities. On 23 October and 11 December, civil registries were delivered to the Zubin Potok, Zvečan/Zveçan and Leposavić/Leposaviq municipalities. On 25 December, the Zubin Potok Municipal Assembly, further to a request from the Ministry of Internal Affairs, agreed to allocate a plot of land for the construction of a Kosovo police and fire brigade station, marking the first instance in which a northern municipality granted land use rights for a Kosovo central institution.

17. On 18 November, KFOR withdrew its troops from a forward observation point near Boundary Crossing Point Gate 31. On 21 December, KFOR handed over the land parcels of the now-dismantled Čabra/Çabër Camp in Zubin Potok municipality to their local owners.

18. UNMIK continued its monitoring, mediation and facilitation on a wide range of outstanding issues between government and civil society in North and South Mitrovica. UNMIK also organized meetings with municipal authorities from both sides of the Ibër/Ibar River to promote more local resolution on contentious matters.

IV. Security

19. The overall security situation in Kosovo remained generally stable during the reporting period, despite violence during political protests. On 19 October in Pristina, assailants attempted to target the Prime Minister's convoy with paintballs. The Kosovo police arrested two suspects in relation to the incident. On 24 October, the Kosovo police arrested 10 suspects for throwing stones and Molotov cocktails in the direction of police officers during a protest in front of the Assembly building. On 17 November, Kosovo police used tear gas and water cannons to disperse a crowd of violent protestors in the same location. Three protesters were arrested, two of whom were in possession of petrol bombs. Seventeen officers sustained injuries. On 18 November, Kosovo police arrested another 30 protesters during two violent protests in Pristina. During the protest on 9 January, demonstrators threw Molotov cocktails and stones in the direction of the police officers. Approximately 30 people were injured, including 24 police officers, and 34 persons were arrested.

20. The terrorist attacks in Paris on 13 November prompted the Kosovo authorities to moderately enhance security measures, while KFOR upgraded its alert status. On 15 November, at the Hani i Elezit/Đeneral Janković crossing point with the former Yugoslav Republic of Macedonia, the Kosovo police arrested three Kosovo Albanians who had been returned by the Turkish authorities on terror-related charges. On 1 December, in Rezhancë/Režance village (Hani i Elezit/Đeneral Janković municipality), the Kosovo anti-terrorism unit and the Special Prosecutor arrested one Kosovo Albanian suspected of terrorism in a joint operation with Italian authorities. On 4 December, the Kosovo Special Prosecution Office indicted five Kosovo Albanians who had been arrested on 11 July at Lake Badovc/Badovac near Pristina while allegedly preparing to shoot a video pledging allegiance to a terrorist organization (ISIL). On 4 January, two Kosovo Albanians deported from Turkey were arrested on suspicion of having violated article 143 of the Kosovo

Criminal Code, "Organization and participation in a terrorist group". Between 23 and 25 November in Bosniak Mahalla of North Mitrovica, graffiti reading "ISIS" were found at several places, including at the entrances to two Kosovo Serb residences.

21. A number of incidents involving non-majority communities occurred during the reporting period, mainly in northern and western Kosovo. On 24 October, in Kufc i Epermë/Gornje Kusce (Novobërdë/Novo Brdo municipality), one Kosovo Serb juvenile was stabbed in a confrontation between groups of Kosovo Serb and Kosovo Albanian young people over a football match. Two Kosovo Albanian juveniles were arrested. On 25 October, a bus with Kosovo Serb internally displaced persons was pelted with stones in Pejë/Peć. Two Kosovo Albanians were arrested in relation to this incident. On 7 December, unknown perpetrators committed two separate drive-by shootings in Gorazhdevc/Goraždevac (Pejë/Peć municipality) and Srbobran/Sërbobrani (Istog/Istok municipality). In the first case, a memorial to Kosovo Serb victims was damaged and a car was burned. On 30 December, graves were damaged in a Catholic cemetery located in Dedaj village in Prizren municipality.

V. Rule of law

22. On 15 January, the Council of Ministers of the Netherlands agreed to host the Specialist Chambers and Specialist Prosecutor's Office in the Netherlands. The Specialist Court, which is a Kosovo institution with international judges, will try cases involving serious crimes committed during and in the immediate aftermath of the Kosovo conflict and is expected to begin operating sometime in 2016. The Governments of the Netherlands and Kosovo have concluded a seat agreement, which sets forth the arrangements that will apply to the institution.

23. UNMIK continued to monitor the rule of law situation, exercising some responsibilities in the area of rule of law while maintaining technical cooperation with rule of law-related institutions in both Belgrade and Pristina. UNMIK continued to facilitate requests for mutual legal assistance from States that do not recognize Kosovo and to provide document-certification services including to Kosovo residents, primarily to certify civil status, academic credentials and pension documents. A total of 459 such documents were processed from 16 October to 15 January.

24. UNMIK continued to facilitate communications between the Kosovo authorities and the International Criminal Police Organization (INTERPOL) and its member countries. During the reporting period, 13 INTERPOL "red notices" were issued at the Mission's request. UNMIK attended the 84th INTERPOL General Assembly, held from 2 to 5 November 2015 in Kigali.

25. During the session of the Kosovo Assembly on 30 November, two judges were selected for appointment to the Constitutional Court of Kosovo. On 30 December, President Jahjaga appointed the nominees and they took the oath of office. The Court panel is now fully staffed with nine judges.

26. On 11 January, 378 former Serbian civil protection personnel in northern Kosovo were integrated into different Kosovo institutions by signing either their contracts with those institutions (328 persons) or declarations allowing them to be paid from the contingency fund (50 persons). The handover of some premises,

however, remained pending. The arrangements were a part of the integration process between Belgrade and Pristina agreed within the framework of the agreement of 19 April 2013.

27. The capacity of the Detention Centre in North Mitrovica increased as 25 former civil protection personnel began work as corrections officers on 16 November. The Detention Centre can still house only male inmates, however, and adequate detention facilities for women and juveniles have yet to be established. The management of the Detention Centre announced that international standards are being met with regard to inmates in detention on remand, but not for those serving prison sentences inside the facility.

28. During the reporting period, little further progress was made in the implementation of the Pristina-Belgrade agreement on integration of the judiciary and the Government of Serbia had yet to enact special legislation regulating the pensions of the staff still employed in its institutions. The integration of legal support staff was also delayed and no vacancy announcement had yet been issued.

29. In December, the closing arguments were given by the prosecutor and the defence counsels for defendants Oliver Ivanović, a Kosovo Serb political leader, and Dragoljub Delibašić, in the *Oliver Ivanović et al.* case before a trial panel of EULEX international judges at the Basic Court of Mitrovica, which also involves three other defendants. Mr. Ivanović is accused, inter alia, of incitement to commit war crimes against the civilian population in April 1999. The closing arguments for the remaining three defendants, with a verdict, are expected in January. Mr. Ivanović and three other defendants remain under house arrest.

30. On 10 December, a panel of EULEX judges acquitted two defendants in relation to the killing of a Kosovo police officer, Enver Zymberi, on 25 July 2011. One defendant was acquitted of all charges while the other was found guilty of "obstructing official persons in performing official duties" and sentenced to six months' imprisonment with a two-year suspension.

VI. Returns and communities

31. The Office of the United Nations High Commissioner for Refugees (UNHCR) recorded a total of 258 voluntary returns to Kosovo from October to December 2015, the breakdown of which was as follows: 103 Kosovo Egyptians, 70 Kosovo Serbs, 40 Kosovo Roma, 25 Kosovo Ashkali, 16 Kosovo Albanians, 3 Kosovo Bosniaks and 1 Kosovo Montenegrin.

32. UNHCR also estimates that the total number of internally displaced persons living in Kosovo has decreased from 17,113 in 2014 to 16,862 at the end of 2015, owing to the provision of durable solutions for some of the displaced persons. Of the total number of displaced persons living in Kosovo, 472 reside in 29 collective centres.

33. To address the potential influx of migrants taking the West Balkans route towards Europe, the Kosovo authorities, led by the Ministry of Internal Affairs, developed a draft response plan in November to prepare for the eventuality of a large-scale diversion of mixed migration flows through Kosovo. Meanwhile, UNHCR continued to support individual community members in obtaining personal

documentation and resolving issues relating to their civil status. During the reporting period, such assistance was provided to 107 individuals.

34. In the context of improving the educational standards of the Kosovo Roma, Kosovo Ashkali and Kosovo Egyptian communities, the Kosovo Scholarship Program awarded a total of 500 scholarships to secondary school students from the three communities for the 2015/16 school year.

VII. Cultural and religious heritage

35. On 30 December, the Kosovo government adopted its draft legislative programme for 2016, which foresees a new draft law on amending and supplementing the law on cultural heritage to be discussed during the session of the Cabinet scheduled for 30 June 2016. The draft law is to be submitted to the Assembly once endorsed by the government.

36. On 3 December, the European Union approved funding for a joint United Nations-European Union programme on community-level confidence-building through cultural protection. This agreement represents substantial new cooperation between the United Nations and the European Union in Kosovo on the implementation of confidence-building measures for the preservation of cultural heritage. The funding for the initiative has been made available by the European Union Instrument contributing to Stability and Peace, with project implementation led by the United Nations Development Programme scheduled to start early in 2016.

37. The land dispute between the Deçan/Dečani municipality and the Serbian Orthodox Visoki Dečani Monastery continued. On 5 December, the Constitutional Court of Kosovo, taking into account the classification of the monastery as a UNESCO World Heritage Site, granted an interim measure suspending any judicial proceedings, actions or decisions of public authorities in relation to the constitutional complaint submitted by the Visoki Dečani Monastery. The interim measure expires on 29 February 2016. The Deçan/Dečani branch of the League of Kosovo Historians criticized the decision and organized a peaceful protest in Deçan/Dečani town on 17 December, drawing an estimated 400 people.

VIII. Human rights

38. The International Human Rights Working Group, established by UNMIK in September 2015 and comprising representatives of the Council of Europe, the European Union, OSCE, UNICEF, France, Switzerland and the United States of America, fostered synergies among its participants and strengthened coordinated support for the implementation of human rights mechanisms and frameworks by the relevant Kosovo institutions. On 25 November, the first consultation between the Ombudsperson and the Working Group identified a number of challenges faced by that institution, including insufficient funding and a shortage of trained experts. The Working Group also supported the Office of the Prime Minister in reviewing the draft of the Kosovo Human Rights Strategy (2016-2020) to ensure that the strategy meets international human rights standards, including those established within the European human rights framework.

39. On 22 October in Pristina, the Kosovo Government Commission on Missing Persons met with representatives of the Commission on Missing Persons in Montenegro and signed a cooperation agreement on the exchange of information on persons who remain unaccounted for. The Working Group on Enforced or Involuntary Disappearances had recommended concluding such agreements in its report presented to the Human Rights Council in September 2015.

40. On 9 November, excavations began at Kiževak, a new location in the Rudnica region, Serbia. EULEX has been guiding the activity in coordination with the prosecutorial office of the Belgrade District Court of War Crimes. Both the Belgrade and Pristina delegations to the Joint Working Group on the persons unaccounted for in connection with events in Kosovo have been participating in the excavations since 16 November.

41. On 9 December, the Joint Working Group on the persons unaccounted for in connection with events in Kosovo held a session, during which discussions focused on exchanging lists of missing persons. The meeting was chaired by the International Committee of the Red Cross, and UNMIK attended as a member of the Pristina delegation. Although the two delegations agreed to meet again by March 2016, substantive work of the Joint Working Group has largely stalled as Pristina has yet to appoint the head of its delegation, a position that has remained vacant since November 2014.

42. During the reporting period, the UNMIK Human Rights Advisory Panel delivered nine opinions on 31 complaints. In eight of the nine opinions, the Panel found that UNMIK had failed to meet the procedural requirements stipulated in article 2 (right to life) of the European Convention on Human Rights, due to the lack of proper criminal investigation. Further, the Panel established that, in 22 of the 31 complaints, the procedural requirements had not been met as provided in article 3 of the Convention (prohibition of torture, inhumane or degrading treatment). In the ninth opinion, the Panel concluded that the Mission had violated article 3 of the Convention as well as articles 9 (right to social security) and 11 (right to an adequate standard of living) of the International Covenant on Economic, Social and Cultural Rights. Since my last report, no progress has been made with regard to the Panel's recommendations relating to the payment of adequate compensation for moral damages suffered as a result of those violations. By the end of 2015, the Panel had closed 518 cases, with nine remaining. The Panel plans to complete its substantive work by March 2016, followed by preparation and presentation of its final report.

43. In December, UN-Women supported the implementation of the action plan of the Kosovo Council on the Survivors of Sexual Violence during the War with regard to ensuring survivors' access to justice by providing joint training with EULEX on sexual violence as an international crime for investigators, judges and prosecutors.

44. During the global "16 Days of Activism against Gender-Based Violence" campaign, held from 25 November to 10 December, over 20 separate events were held across Kosovo to raise awareness of gender-based violence and to advocate for improved institutional responses. The campaign was organized chiefly by the Kosovo Agency for Gender Equality with support from UN-Women.

IX. Observations

45. The continuing use of violence and inflammatory rhetoric by opposition parties, which disrupted the proceedings of the Assembly and exacerbated tensions in the streets of Kosovo, is of serious concern. Such actions are unacceptable; they have no place in a democratic society and can have only a negative impact on Kosovo. I urge those responsible to refrain from challenging the dividends of democracy by resorting to violence, to address political grievances through legitimate channels, and to rise to their stature as elected representatives. I commend the professionalism and restraint demonstrated by the Kosovo police in managing several violent protests which occurred during this period. I commend President Jahjaga's sustained efforts to help to resolve the situation through transparent and inclusive dialogue.

46. I note with concern that these developments have contributed to delays in some aspects of the implementation of the Belgrade-Pristina agreement of 19 April 2013, and the subsequent package of agreements of 25 August 2015. In particular, procedures agreed towards the establishment of the Association/Community of Serb majority municipalities in Kosovo have fallen short of meeting the specified timeframe. Nonetheless, the recent decision by the Constitutional Court in Pristina and the commitment by the government to continue the process of establishing the Association/Community in keeping with the Court's decision mark an important step towards the expeditious resumption of this effort. I urge stakeholders to redouble their efforts, in the interest of all who live in Kosovo. I appreciate the commitments made by both Pristina and Belgrade to continue the high-level dialogue meetings under European Union facilitation in the very near future.

47. I welcome the very significant progress made in the integration into Kosovo institutions of former Serbian civil protection personnel. This comes as a direct result of the continuing implementation work by both sides to fulfil the agreements achieved in the European Union-facilitated dialogue. I also note the application for a unique Kosovo dialling code, submitted to the International Telecommunication Union by the Government of Austria on behalf of Kosovo. At the local level, I commend the continuing productive interchanges between the mayors of North and South Mitrovica on pending matters, including that concerning the settling of the municipal boundaries.

48. The signing and ratification of a Stabilization and Association Agreement between Kosovo and the European Union marks a milestone in progress towards European integration, and a clear recognition of the work already accomplished by Kosovo institutions. I encourage the government and all political stakeholders to remain resilient and steadfast in their commitment to this path, regardless of the many short-term political challenges and struggles.

49. Demonstrating fundamental commitment to the rule of law in Kosovo likewise demands swift and determined action to fully establish and operationalize the Specialist Court. I note with appreciation the agreement of the Government of the Netherlands, announced on 15 January, to host this institution in The Hague. I expect all stakeholders to proceed expeditiously towards concluding the remaining steps, in line with the constitutional amendment and related legislation adopted by the Assembly of Kosovo in August 2015.

50. The confirmation of Kosovo's eligibility to develop a Millennium Challenge Corporation compact is a significant achievement, providing further opportunities for Kosovo to access resources that advance social and economic development. I also make special note of the initiatives by business leaders within the Chambers of Commerce in both Belgrade and Pristina to put aside political problems and to build new cooperation within the business community. Their efforts are a lesson in far-sighted action.

51. I express my gratitude to my Special Representative, Zahir Tanin, for leading UNMIK with commitment, and all Mission personnel for their service. I am also thankful to members of the United Nations family and UNMIK partners on the ground, including KFOR, EULEX, OSCE and the European Union, for their cooperation and continuing contributions to peace and progress in Kosovo.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

(covering the period from 16 October 2015 to 15 January 2016)

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued its monitoring, mentoring and advising activities, and to implement its executive functions in line with its mandate in the rule of law area. A number of verdicts were pronounced in cases concerning organized crime, corruption and other serious crimes. The trial in the "Matrix" case, relating to organized crime and migrant smuggling into the European Union, led to the conviction and imprisonment of four defendants. Five Kosovo police officers were found guilty in the "Gracanica 10" case concerning mistreatment of nine Kosovo Serbs from northern Kosovo. A former member of the Liberation Army of Presevo, Medvedja and Bujanovac was sentenced to imprisonment for attempted aggravated murder, committed in the former Yugoslav Republic of Macedonia.

The Mission supported the Kosovo Border Police and the Ministry of Internal Affairs with technical advice to deal with the potential influx of irregular migrants and refugees into Kosovo. Against the backdrop of the political stalemate and demonstrations by the opposition, EULEX provided advice to the Kosovo police in their response to the protests, some of which turned violent.

In northern Kosovo, the Mission exercised its executive functions in a number of judicial cases. Two defendants received suspended prison sentences for involvement in attacks against EULEX personnel in the municipality of Zubin Potok in April and May 2012. One defendant received a suspended prison sentence for obstruction of official persons in a case related to the killing of a Kosovo police officer in 2011. The main trial against five defendants, including a well-known Kosovo Serb politician, accused of war crimes, continued.

Further successful steps were taken in the implementation of European Union-facilitated dialogue agreements with support from EULEX. In the context of the integration of the Serbian civil protection personnel, in November, 25 new Kosovo corrections officers, all former staff of the Serbian civil protection, graduated from their training course at the Kosovo Academy for Public Safety and began employment at the Mitrovica Detention Centre. In December, all 483 positions in Kosovo institutions were filled and on 11 January 2016 all remaining contracts were signed. The Mission also supported the Ministry of Internal Affairs in its efforts to make civil registry services fully available in northern Kosovo. Certified copies of civil registry books have now been handed over to three of the four northern municipalities.

2. EULEX activities

2.1 Executive

War crimes

On 18 November, a EULEX judge at the Mitrovica Basic Court held an initial hearing of a defendant in the "Kukes" case related to mistreatment of persons held in Kosovo Liberation Army facilities in northern Albania during the Kosovo conflict. The suspect had managed to avoid arrest since 2010, but was arrested by Kosovo police and EULEX police on 6 October. The defendant has pleaded guilty to unauthorized possession of a weapon, but not guilty to war crimes against the civilian population.

On 10 November, a panel of one local judge and two EULEX judges at the Court of Appeals finalized the case against the "Llapi group" relating to the beating and torture of Kosovo Albanian civilians illegally detained in the detention centre in Llapashtica/Lapaštica. The appeal of one of the defendants was dismissed as belated and the verdict of three years' imprisonment against him was confirmed. For the two other defendants, the time spent in detention on remand was credited to their earlier sentences of six and four years' imprisonment respectively.

Organized crime and corruption

On 15 October, a panel of one local judge and two EULEX judges at the Pristina Basic Court announced the verdict in the "Matrix" case. Four defendants were sentenced to imprisonment of three to four years for organized crime and migrant smuggling into the European Union. The case was led by a EULEX prosecutor at the Kosovo Special Prosecution Office. One defendant had pleaded guilty earlier and was sentenced separately.

On 23 October, a EULEX prosecutor at the Kosovo Special Prosecution Office filed an indictment against four defendants charged with inter alia organized crime and money-laundering committed in 2011-2012. The accusations include large-scale tax evasion committed in the context of fuel sales. The proceeds were allegedly subsequently laundered through a construction business. The case was investigated by EULEX police.

On 26 October, the first session of the appellate proceedings in the "passport" case was held by a panel of one local judge and two EULEX judges. In December 2014, eight defendants were sentenced to imprisonment ranging from one to 12 years for offences related to the theft of €1.4 million in the context of a public supply contract for biometric passports at the Ministry of Internal Affairs.

On 30 October, a panel of one local judge and two EULEX judges started the trial for corruption-related offences in the "Ministry of Transport, Post and Telecommunications" case against inter alia a former Minister of Transport, Post and Telecommunications.

Other serious crimes cases

In October, a panel of two local judges and one EULEX judge at the Court of Appeals finalized a decision affirming an earlier ruling of the Mitrovica Basic Court whereby two Kosovo police officers serving in Mitrovica were given suspended

sentences of imprisonment for 14 months and 5 months, respectively, for abuse of official position or authority. Four other defendants were acquitted. The case relates to the provision of assistance and/or information for smuggling goods through police checkpoints in Mitrovica.

On 26 October, a EULEX prosecutor at the Kosovo Special Prosecution Office filed an indictment against two defendants for money-laundering and tax evasion. The funds, which were allegedly smuggled from Western Europe and laundered in Kosovo, exceeded €2 million. The indictment was filed following a complex investigation conducted by the EULEX police together with the Kosovo police.

On 2 November, a EULEX judge at the Mitrovica Basic Court issued a judgement in a case regarding the dismantling and reselling of stolen cars. Two defendants received suspended sentences of 18 months and 10 months' imprisonment, respectively, while a third defendant was acquitted.

On 11 November, a panel of one local judge and two EULEX judges at the Gjilan/Gnjilane Basic Court sentenced a former member of the Liberation Army of Presevo, Medvedja and Bujanovac to six years' imprisonment for attempted aggravated murder committed in December 2004 in Tetovo, the former Yugoslav Republic of Macedonia. The case was led by a EULEX prosecutor at the Kosovo Special Prosecution Office.

On 18 November, a panel of one local judge and two EULEX judges at the Pristina Basic Court announced the verdict in the "Gracanica 10" case against 11 Kosovo police officers for mistreatment of nine Kosovo Serbs from northern Kosovo in January 2013 during their time in detention. Five of the defendants were found guilty; one was sentenced to 18 months' imprisonment and the four others to suspended sentences and prohibition of exercising public service functions. The case was led by a EULEX prosecutor at the Kosovo Special Prosecution Office.

Allegations found in the report by the Special Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe

The Special Investigative Task Force was set up in 2011 to conduct a criminal investigation into the claims found in the report of January 2011 by the Special Rapporteur for the Committee on Legal Affairs and Human Rights of the Council of Europe, Dick Marty, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". The investigation conducted under the auspices of the Special Investigative Task Force seeks to determine the individual criminal liability of those most responsible for the allegations made in the report.

The Special Investigative Task Force is moving forward with engaging injured parties, victim advocacy groups and individuals in order to gather evidence and information relevant to the investigation. Cooperation with judicial and law-enforcement authorities in the region and beyond is ongoing and remains satisfactory. The Task Force looks forward to sustained cooperation from all parties as operational and investigative activities continue to make progress.

The preparation for the establishment of the Specialist Chambers and Specialist Prosecutor's Office continues. On 15 January 2016, the Council of Ministers of the Netherlands agreed on the hosting of the Specialist Chambers and Specialist Prosecutor's Office in the Netherlands.

Department of Forensic Medicine

On 9 November, EULEX forensic experts at the Kosovo Department of Forensic Medicine started the site assessment at Kiževak in the Rudnica mine complex in Serbia around 20 km from the stone quarry where excavations were carried out in 2014. EULEX is guiding the excavation in coordination with a prosecutor of the Belgrade District Court of War Crimes and a Serbian mine expert. Among those present at the excavation were also the Government Commissions on Missing Persons from Belgrade and Pristina as well as local staff of the Kosovo Department of Forensic Medicine. The site assessment was temporarily suspended on 11 December owing to bad weather conditions but it is expected to resume in 2016. At the beginning of November, EULEX forensic experts conducted site assessments in the areas of Prizren and Deçan/Dečani.

Property rights

During the reporting period, the Kosovo Property Agency Appeals Panel received 37 new appeals and adjudicated 42 appeals, while 444 appeals are pending a decision of the panel. The Special Chamber of the Supreme Court for privatization matters rendered 196 decisions in first instance trial panel cases and finalized 53 cases at the appellate panel level.

2.2 Strengthening

The Mission supported the Kosovo Border Police with technical advice, focusing on identification and registration of irregular migrants and refugees and in strengthening their investigation capacity against smuggling as well as in the drafting of their operational plan "Influx of refugees", which defines activities and responsibilities for a coordinated response to a potential influx of irregular migrants and refugees. The Mission also provided advice to the Ministry of Internal Affairs on migration crisis contingency planning with a special focus on budgeting, and advocated enhanced coordination efforts among all Kosovo institutions involved.

EULEX continued its work with the Ministry of Internal Affairs to strengthen the civil status system and provided advice on sublegal acts for changing a person's name and defining personal identification numbers. Both are critical for the proper identification of individuals, in particular in criminal cases, and in the context of the visa liberalization road map.

The Mission continued to monitor and advise the Kosovo police in its response to various protests by the opposition, some of which turned violent. The Kosovo police demonstrated professionalism, reflecting the lessons learned from previous interventions, in accordance with European best practices. EULEX provided additional advice on arrest procedures to special units of the Kosovo police.

In the course of the implementation of a pilot project on intelligence-led policing in Ferizaj/Uroševac, statistics showed an increase in the number of adequately submitted information reports in the last quarter. The success of the pilot project will be used as an example for other police regions in Kosovo.

As part of the Mission's mandate to support Kosovo Customs, EULEX organized a workshop on intellectual property rights in Pristina. Concurrently, a public awareness campaign was launched in cooperation with Kosovo Customs to highlight the risk of health and safety hazards when buying counterfeit goods.

Further, the Mission continued to monitor the process of merging Kosovo Customs and the Tax Administration of Kosovo. In addition, the implementation of the Stabilization and Association Agreement will mean a gradual removal of all customs duties on imports from the European Union over a six-year period, with a projected decrease of revenue in 2016 of approximately €25 million. It is therefore essential that the Tax Administration improves tax collection in order to compensate for the predicted reduction in customs revenues.

On 13 November, 25 new Kosovo Correctional Service officers, all former staff of the civil protection, graduated from their training course at the Kosovo Academy for Public Safety. They started working at the Mitrovica Detention Centre on 16 November, where their presence significantly alleviates the staffing shortage. EULEX was part of their integration process, from selection to monitoring of their training in the classroom and their work at the Mitrovica Detention Centre. At the Centre, there is, however, still a lack of Kosovo Albanian staff. EULEX sent recommendations to the newly appointed Acting Director General of the Correctional Service to strengthen the management and operation of the institution, to ensure more efficient use of space and to reduce staff and operational costs. Demonstrating improved will to respond to recommendations, the Correctional Service closed down one block of Dubrava Correctional Centre in its current function to enable future use in accordance with economies of scale.

The Mission continued to provide advice to the Kosovo Prosecutorial Council and the Kosovo Judicial Council in drafting the regulations for the package of laws on the judiciary that were amended in mid-2015. The drafting process proceeded slowly during the reporting period. The Councils did not finalize the regulations by the set deadline of 15 January 2016. Both Councils will have to address the impending end of mandates of respective members and subsequent potential loss of institutional memory early in 2016. In addition to the legislative expertise, EULEX continued to provide support to the Kosovo Prosecutorial Council and the Chief State Prosecutor to ensure accountability and enhance management capacities, in particular in view of the changes, mentioned above, soon to be introduced.

The Mission continued capacity-building activities for the Office of the Disciplinary Counsel/Prosecutor and supported another workshop to improve the skills of the Office's inspectors and legal officers in the process of interviewing and collecting evidence.

2.3 Northern Kosovo

On 17 October, the revitalization of the main bridge and its surroundings began, within the context of the European Union-facilitated dialogue. The situation in Mitrovica remained calm following the initiation of the revitalization. In November, several incidents of alleged molesting and attempted abduction of underage children by an unknown person were reported in Mitrovica North. EULEX encouraged the Kosovo police to address public concerns through media outreach and community policing activities. On 9 November as well as on 9 and 10 December, some 50 to 60 former employees of the Serbian Ministry of the Interior protested in Mitrovica North demanding the review of their employment and retirement status by Serbia. On 18 November, the Minister of Finance and the Director General of Kosovo Customs were prevented from travelling to the Rudnica/Jarinjë crossing point after protesters blocked the road. On 29 November,

an explosive device was thrown at a residential building under renovation by a Kosovo Albanian company in Mitrovica North; a Kosovo Albanian worker sustained minor injuries and several cars were damaged.

The Mission continued to implement its executive mandate in a number of criminal cases. On 23 October, a panel of EULEX judges at the Mitrovica Basic Court issued a judgement against seven defendants in the case related to attacks against EULEX personnel in the municipality of Zubin Potok in April and May 2012. Two of the defendants received suspended prison sentences of two years and one year and 10 months, respectively, as well as fines. On 10 December, a panel of EULEX judges at the Mitrovica Basic Court announced the verdict in the second of three judicial proceedings related to the shooting of a Kosovo police officer, Enver Zymberi, in July 2011. One defendant received a suspended sentence of six months' imprisonment for obstruction of official persons in performing their duties, but was acquitted on all other accounts, including aggravated murder. The other defendant was found not guilty of all charges. The main trial in the case against five defendants, including a well-known Kosovo Serb politician, accused of war crimes, continued. Towards the end of the reporting period the closing statements by the prosecution and the defence were heard.

The Mission continued to advise the Kosovo police in northern Kosovo. From 9 November until 13 December, the Kosovo police conducted an operation, with active EULEX support, to prevent illegal woodcutting in northern Kosovo. A new momentum was gained in the efforts of the Kosovo police to introduce intelligence-led policing principles in northern Kosovo, to which EULEX contributed with strategic and practical guidance. On 3 November, the Mission held a workshop with the Regional Police Directorate Mitrovica North on submission of information as part of intelligence-led policing, which in turn was replicated by the Kosovo police in workshops with all station commanders and department heads in northern Kosovo. On 10 December, Kosovo police Regional Directors of Mitrovica North and South met, with EULEX facilitation, to discuss regional challenges and how to increase coordination and cooperation on cross-regional security. On 17 December, EULEX organized a media training and communication workshop for 14 Kosovo police officers from the four northern police stations, which will contribute to the Kosovo police's goal to increase trust and confidence by adequately informing the population. EULEX contributed to combating domestic violence in northern Kosovo by organizing an expert meeting on 22 December that led to the setting up of regular coordination meetings on domestic violence. On 23 December, quick response teams of Regional Police Directorates Mitrovica North and South attended a joint training which included a crowd and riot control demonstration by EULEX, followed by a discussion on training needs. On 30 December, the Police Inspectorate of Kosovo opened its branch in Mitrovica North.

2.4 Dialogue implementation

On 27 November, the fourth central-level meeting on integrated management of crossing points was held in Belgrade. The meeting had high-level representation from both sides and contributed to moving forward with the implementation of the Technical Protocol. Preparations to start the construction of the permanent crossing points were discussed and all parties proposed the participation of EULEX as a permanent member of the project steering committee.

On 17 December, EULEX facilitated the first joint meeting of representatives from the customs administrations of Belgrade and Pristina at the Merdarë/Merdare crossing point. The purpose was to discuss technical and practical issues related to the recently fully operational exchange of customs data.

EULEX received via UNMIK a reply from INTERPOL to a request sent to Belgrade in 2013 for verification of the registration and authenticity of documents used by people in 2,087 cases in order to change their SRB vehicle number plates to KS or RKS plates. The Mission continues to follow up on this verification process as 126 of the cases remain unanswered.

The Mission supported the Ministry of Internal Affairs in its efforts to make civil registry services fully available in northern Kosovo. To this end, EULEX met several times with government representatives, senior officials of the Civil Registration Agency and the northern mayors to discuss the establishment of main civil status registry offices. Certified copies of civil registry books were handed over by the Agency to the representatives of the satellite offices in Zubin Potok in October and in Leposavić/Leposaviq and Zvečan/Zveçan in December.

With the signing of contracts on 11 January 2016 for the remaining 328 former Serbian civil protection staff plus the signing of documents by the 50 former staff members selected for the contingency fund, all 483 former civil protection staff members have been assigned a position in Kosovo institutions in accordance with the agreement.

Annex II

Composition and strength of the police component of the United Nations Interim Administration Mission in Kosovo

(as at 15 January 2016)

Country	*Number*
Austria	1
Bulgaria	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Turkey	1
Ukraine	1
Total	**8**

Composition and strength of the military liaison component of the United Nations Interim Administration Mission in Kosovo

(as at 15 January 2016)

Country	*Number*
Czech Republic	2
Moldova	1
Poland	2
Romania	1
Turkey	1
Ukraine	2
Total	**9**

UNMIK
January 2016
Operational boundary
International boundary
National capital
Republic capital or provincial capital
Town, village
Mountain pass
Major road
Secondary road
Railroad
0 5 10 15 20 25 km
0 5 10 15 mi
SERBIA
MONTENEGRO
Kosovo
ALBANIA
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
UNMIK HQ
Military Liaison Component HQ
Military Liaison Team
UNMIK perimeter of operations
Pristina
Skopje
Kosovska Mitrovica
Peja
Prizren
Gnjilane
Urosevac
Kosovo Polje
Lipljan
Suva Reka
Orahovac
Rahovac
Dakovica
Decani
Klina
Srbica
Vucitrn
Leposavic
Zubin Potok
Zvecan
Zvecan
Podujevo
Kacanik
Tetovo
Gostivar
Brodec
Vrapciste
Debar
Struga
Kicevo
Prilep
Bitola
Ohrid
Resen
Krusevo
Kumanovo
Lipkovo
Tabanovce
Presevo
Bujanovac
Medvedja
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Ravna Banja
Tutin
Novi Pazar
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Ulcinj
Tivat
Uzice
Cacak
Kraljevo
Aleksandrovac
Jagodina
Brus
Raska
Pavlica
Ljubic
Raljevo
Raubona
Blace
Tribunje
Merosina
Rudnica
Drenovac
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United Nations S/2016/100

Security Council

Distr.: General
2 February 2016

Original: English

Identical letters dated 1 February 2016 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I have the honour to attach herewith a statement issued by the Arab coalition forces to restore legitimacy in Yemen (see annex). The statement includes the following points:

(a) The coalition reaffirms its respect for, commitment to and compliance with the rules of international humanitarian law and international human rights law;

(b) The coalition deeply regrets every human casualty in Yemen and reaffirms that all possible measures are taken to protect all civilians in that country;

(c) The coalition reaffirms its support to and cooperation with the United Nations and all relevant humanitarian organizations to ensure the protection of all civilians in Yemen;

(d) The coalition announces the establishment of an independent high-level team of civilian and military experts to assess reported incidents of civilian casualties, investigation procedures and mechanisms of precision targeting. The team is expected to issue a comprehensive and objective report covering each incident individually and containing recommendations and lessons learned;

(e) The team will cooperate fully with the Yemeni National Committee in investigating alleged human rights abuses, and with the relevant United Nations entities, including the Security Council Sanctions Committee and the Panel of Experts established pursuant to resolution 2140 (2014).

We take this opportunity to once again urge the Security Council to demand that all parties, and in particular the Houthis and their allies, ensure the protection of civilians, fully implement the Council's relevant resolutions, including resolution 2216 (2015), and to take appropriate measures against all parties that have not committed to implementing its resolutions and the countries supporting and associating with the Houthi militias and forces loyal to former President Ali Abdullah Saleh in defying international legitimacy and threatening the region's security and safety and international peace and security.

It would be highly appreciated if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Abdallah **Al-Mouallimi**
Permanent Representative

16-01412 (E) 040216 040216

Please recycle

Annex to the identical letters dated 1 February 2016 from the Permanent Representative of Saudi Arabia to the United Nations addressed to the Secretary-General and the President of the Security Council

[Original: Arabic]

Statement of the Arab coalition forces to restore legitimacy in Yemen

Riyadh, 1 February 2016

The Arab coalition forces to restore legitimacy in Yemen stress that the coalition respects the rules of international humanitarian law and international human rights law, and that its commanders and troops comply with those rules. It deeply regrets any civilian casualties that have occurred in Yemen and reaffirms that it is taking all possible precautions to protect civilians and medical, humanitarian and relief personnel, as well as journalists and members of the media, in order to avoid civilian casualties. It stresses that it is cooperating fully with United Nations agencies, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies in their humanitarian work, with a view to ensuring that international humanitarian law is respected and civilians are protected.

In keeping with its respect for international laws and norms, the Arab coalition announces that it is forming an independent, high-level team of qualified specialists consisting of senior officers, military advisers, weapon specialists and experts in international humanitarian law. That team will assess incidents and investigative procedures, and evaluate and enhance target identification methods. It will issue a full, candid and objective report on each incident that will contain conclusions, lessons learned, recommendations and procedures that must be followed in the future. To achieve its objectives, the team shall:

- Seek the assistance of such national, regional and international experts and specialists as it deems fit to assist it in carrying out its tasks;
- Arrange field visits by the team or its representatives to sites under investigation, where possible;
- Collect evidence and information on each incident from the relevant parties and take statements and hear testimony from anyone it deems appropriate;
- Cooperate fully with the Yemeni National Committee established to investigate allegations of human rights violations;
- Cooperate with the relevant United Nations mechanisms, including the Panel of Experts of the Committee established pursuant to resolution 2140 (2014) on sanctions against Yemen.

The relevant parties have been instructed to cooperate fully and transparently with the team, to assist it in carrying out its duties.

The team shall operate in tandem with the incident assessment units of the Royal Saudi Arabian Air Force and their counterparts in other member States of the coalition that, from the start of the Arab coalition's operations in Yemen, have been

assessing the facts and circumstances of each incident reported and submitting conclusions, recommendations and lessons learned.

The coalition command regrets media reports and allegations by human rights organizations that bombing by the coalition has resulted in civilian casualties. Those reports and allegations are totally false and are not supported by any cogent evidence or proof. The coalition command stresses that a careful and professional approach that is based on documented sources and credible evidence must be pursued before such allegations are published.

United Nations S/2016/101

Security Council

Distr.: General
3 February 2016
English
Original: Arabic

Identical letters dated 2 February 2016 from the Chargé d'affaires a.i. of the Permanent Mission of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government and further to our previous letters regarding the repeated violations and aggressions committed by Turkey against the territory of the Syrian Arab Republic, I should like to apprise you of the new aggressions that Turkey has committed against the Syrian people and the sovereignty of Syria and its territorial integrity.

On 29 January 2016, mechanized armed Turkish forces infiltrated the territory of the Syrian Arab Republic in the village of Bustan. They took up a position atop the Tall Ifrit chain, which overlooks the nearby villages, towards Ayn al-Diwar in the Malikiyah area. The hostile forces, which were dispersed over an area more than four kilometres long, set up barbed wire inside Syrian territory and opened fire on the Syrian civilian residents of the nearby villages, gravely injuring a female Syrian civilian.

On 1 February, Turkish Army heavy artillery opened fire on Jabal Atirah, which is located in the northern countryside of Ladhiqiyah city, gravely injuring Syrian civilians and causing a variety of damage to property.

Those two aggressions are a continuation of the Turkish regime's acts of aggression and its practice of providing various forms of military, logistical and material support to armed terrorist groups. The Turkish regime, which has been providing such support for nearly five years, has not hesitated to commit the most heinous criminal acts against Syria and its people, including helping foreign terrorists to enter Syria covertly, establishing training camps for terrorists in Turkish and Syrian territory that are under direct Turkish military and intelligence supervision, providing covering fire for terrorist groups in Syria and arming those groups with the most advanced weaponry. That regime has even provided every form of medical care for terrorists in Turkish territory.

The Government of the Syrian Arab Republic strongly condemns the repeated crimes and aggression of Turkey against the Syrian people and the territorial integrity of the Syrian Arab Republic. The actions of Turkey are a flagrant violation of the sovereignty of Syria and blatantly contravene the principles and purposes of the Charter of the United Nations, international law and all Security Council resolutions concerning counter-terrorism. The Syrian Government reiterates that it reserves its legitimate right to respond to the repeated crimes, violations and

aggressions committed by Turkey, as wells as its right to demand compensation for all damage arising therefrom.

The Government of the Syrian Arab Republic once again calls on the Security Council to fulfil its responsibility to maintain international peace and security, and to put an end to the above-mentioned crimes that the Turkish regime is committing against the Syrian people and to its repeated aggressions against Syrian territory. The Council must also compel the Turkish regime to implement the Council's resolutions on counter-terrorism.

I should be grateful if the present letter could be issued as a document of the Security Council.

(*Signed*) Mounzer **Mounzer**
Chargé d'affaires a.i.

United Nations S/2016/102*

Security Council

Distr.: General
3 February 2016

Original: English

Letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to inform you that on Thursday, 11 February 2016, the Security Council plans to hold a debate on the working methods of the subsidiary organs of the Security Council. The related concept note is annexed to the present letter.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Rafael **Ramírez**
Ambassador
Permanent Representative

* Reissued for technical reasons on 8 February 2016.

16-01472* (E) 080216

Please recycle

Annex to the letter dated 2 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

Concept note for the debate of the Security Council on the working methods of the subsidiary organs of the Security Council, 11 February 2016

I. Introduction

The subsidiary organs of the Security Council, in particular its sanctions committees, represent a meeting point between the United Nations sanctions system and Member States. The way the committees relate with affected States constitutes a key element in the functioning of the Organization's sanctions system.

Although sanctions committees have no formal authority to make binding decisions, they carry out substantial tasks, such as monitoring, informing, administering exemptions and listing and delisting individuals and entities. Therefore, their work demands further dissemination, coordination and review.

The general question of sanctions, including the working methods of sanctions committees, was a matter of review by the Security Council during the last decade. In 2000, the President of the Security Council established, by means of a presidential note (S/2000/319), an informal working group to review a series of items related to improving the effectiveness of sanctions committees. In 2006, the Council considered that the Informal Working Group on General Issues of Sanctions had concluded its work and did not renew its mandate.[1] However, 10 years later, there is renewed interest by Member States in continuing to address these issues. This is evidenced by the number of studies on the question of the working methods of the subsidiary organs of the Council — with an emphasis on sanctions committees — that have been published recently and that deserve consideration by the members of the Council.

The present concept note follows up on the measures contained in the notes by the President of the Security Council (S/2014/393 of 5 June 2014, S/2013/515 of 28 August 2013, S/2012/937 of 17 December 2012 and S/2010/507 of 26 July 2010) and the report of the Informal Working Group on General Issues of Sanctions (see S/2006/997, annex).

II. Issues to be considered

A. Transparency in the working methods of sanctions committees

Sanctions committees must establish appropriate arrangements and channels of communication with other bodies and entities of the United Nations, as well as with regional and subregional organizations and neighbouring and other affected countries, in order to promote greater understanding of the nature and extent of sanctions regimes and their potential unintended consequences.

[1] See Security Council resolution 1732 (2006).

In recent years, some sanctions committees have undertaken the practice of inviting affected States to take part in their meetings. In the same way, the Chairs of sanctions committees have conducted field visits and have issued press releases related to the committees' activities, which constitute steps of major progress. However, there is still much more to do in order to improve the dissemination of information, transparency and the coordination of the activities of sanctions committees. Some measures the Security Council might take into account in order to improve the transparency of its sanctions committees include:

(a) More frequent open interactive briefings by the Chairs of sanctions committees with non-members of the Council;

(b) More frequent consultations with countries affected by sanctions regimes;

(c) Greater dissemination and diffusion of information concerning the activities of sanctions committees in the international media;

(d) Regular circulation of detailed summary records of sanctions committees' meetings;

(e) Greater and clearer dissemination of information concerning the duration of sanctions, including actions to be undertaken by individuals and entities under sanctions in order to have sanctions lifted.

B. Preparation of new Security Council members

Under the Council's present arrangements, the new members of the Council, which must chair sanctions committees, are selected only a couple of weeks before beginning their functions and receive little to no support from the Secretariat during the preparatory stage. In this regard, the following measures should be taken into account:

(a) The Security Council should select the Chairs of sanctions committees in a balanced, transparent, efficient and inclusive manner, through dialogue and interaction among all Council members;

(b) The Security Council should appoint the Chairs of its sanctions committees as early as possible after the new Council members are elected;

(c) The Security Council Subsidiary Organs Branch should facilitate private meetings between outgoing and incoming Chairs to discuss each committee's work and contribute to the leadership transition;

(d) The Security Council Subsidiary Organs Branch should organize thorough training on specific sanctions regimes and its working methods for the Chairs of committees and delegates appointed to assist them;

(e) The Chairs of sanctions committees, with the support of the Security Council Subsidiary Organs Branch, should hold regular meetings on improving coordination and sharing information;

(f) The Chairs of sanctions committees and the penholders should hold regular meetings to better assess the role of sanctions in the overall political strategy.

C. Unintended impact of selective and sectoral sanctions

Sanctions, even those that are selective or sectoral, frequently result in unintended consequences, including a negative humanitarian impact on the civilian population, high economic costs for neighbouring countries and the criminalization of basic economic activities. In line with Article 50 of the Charter of the United Nations, the Security Council should consider, for instance, the effect of sectoral sanctions on the legitimate trade of natural resources and the impact on the legitimate sources of livelihood of artisanal communities and, if necessary, develop specific assistance for those affected. Sanctions can also affect the work of humanitarian workers on the ground, since the imposition of sanctions in a particular country may cause serious problems for raising funds for humanitarian activities in that country. In addition, negative propaganda about United Nations sanctions can adversely affect the freedom of movement and the safety of United Nations humanitarian staff in the affected country or region.

In this regard, the Security Council might consider, among other measures:

(a) Including, in the mandate of expert groups of sanctions committees, a review of the impact of selective or sectoral sanctions on affected countries and civilian populations and on the activities of humanitarian actors on the ground;

(b) Requesting the Secretary-General to provide a comprehensive report on the impact of selective or sectoral sanctions on affected countries and civilian populations and on the activities of humanitarian actors on the ground, including possible measures to address such unintended consequences.

III. Briefers

Cristián Barros Melet, Permanent Representative of Chile to the United Nations and former Chair of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire and of the Security Council Committee established pursuant to resolution 2206 (2015) concerning South Sudan.

Olof Skoog, Permanent Representative of Sweden to the United Nations (sponsor and organizer of the High-level Review of United Nations Sanctions).

IV. Participants

Member States subject to sanctions regimes will be invited to participate under rule 37 of the provisional rules of procedure of the Security Council.

V. Expected results

A note by the President of the Security Council outlining the recommendations contained in the present concept note is an expected result.

United Nations S/2016/103

Security Council

Distr.: General
3 February 2016

Original: English

Letter dated 1 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to inform you that on Monday, 15 February 2016, the Security Council plans to hold an open debate at the ministerial level on the theme "Respect for the principles and purposes of the Charter of the United Nations as a key element for the maintenance of international peace and security". The related concept note is annexed.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Rafael **Ramírez**
Ambassador
Permanent Representative of the Bolivarian
Republic of Venezuela to the United Nations

16-01468 (E) 080216

Please recycle

Annex to the letter dated 1 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

Concept note for the ministerial open debate of the Security Council on the theme "Respect for the principles and purposes of the Charter of the United Nations as a key element for the maintenance of international peace and security"

The history of humanity has been marked by conflicts between societies and nations for the control of areas of influence, expressed through conquest and imperialist wars; some of them having even reached a global character, as in the cases of the First and Second World Wars. The destruction caused by such conflagrations, particularly those that occurred during the first half of the twentieth century, led nations and leaders of the world to work towards the establishment of multilateral formulas that would make it possible to overcome the unsettled approach that had prevailed until then in international relations. This also sought to promote a system that would ensure the elimination of those asymmetries and views proper to hegemonic policies promoted by some centres of power.

After the failed attempt of the League of Nations during the first quarter of the last century to form an international system based on peace, the Organization of the United Nations emerged in 1945, from the ashes of the Second World War, with the firm purpose — as expressed in the Preamble to the Charter — of saving succeeding generations from the scourge of war. Thus, the Charter of the United Nations would constitute the first international legal agreement of a multilateral nature that expressly and definitely forbade war as an instrument of foreign policy.

The Organization, throughout its history, has registered significant achievements in the field of peace, security and international cooperation; most notable are its contributions to the cause of human rights, decolonization, and economic and social development. While highlighting its positive performance, we acknowledge, however, that its record has not been exempt of flaws and that, at many times, the Organization has not been in line with the expectations that the peoples of the world have of it. Nevertheless, the United Nations remains the best option we have to face, from a perspective of peace and cooperation, the large and complex challenges to be faced by humanity.

One of the key elements for ensuring the said objectives is complying with strict adherence to the purposes and principles enshrined in the Charter of the United Nations, which are the pillars on which international law is based. In this respect, sovereignty, the equality of States, non-interference, the peaceful settlement of disputes, and refraining from the use or threat of use of force against territorial integrity or political independence are all cardinal principles of international relations and peaceful coexistence among nations, which must therefore be fully respected by Member States.

Before the views promoted by those interested in diminishing the political and legal value of these principles, in favour of a uniform and globalized approach distant from an inclusive multilateralism, the vast majority of nations have refuted this argument and have reaffirmed the importance of the international community acting in adherence to the postulates that the Charter wisely established seven decades ago.

Despite the commitment of the majority with the respect to Article 2 (1), in recent years there have been incidents in which the sovereignty of some countries has been violated, negatively impacting international peace and security. This has created conditions conducive to the emergence, growth, strengthening and expansion of terrorist groups, which take advantage of the chaos resulting from the institutional dismantling and collapse caused by such actions in order to impose their criminal and totalitarian agenda, as well as their extremist ideology, to the detriment of the sovereignty and territorial integrity of concerned States.

The growing interference in the internal affairs of States by Governments, in violation of the principle of non-interference, must also be noted. The attempts to ignore the right of countries and their peoples to decide their future, particularly the definition of their political, economic and social system, constitute an obstacle to peaceful coexistence among nations and, thereby, to peace and security.

With regard to conflicts of various origins and nature in different regions of the world, an intention to promote options contrary to the principle of peaceful settlement of disputes is observed in some sectors. The Charter of the United Nations establishes the obligation of States to settle their differences by peaceful means; hence, States Members of the Organization must work on that basis. At the same time, the Security Council shall favour the means established in Article 33 of this legal instrument, and encourage regional and subregional organizations to take on an active role in the settlement of these conflicts. Thus, the trend of the Security Council to resort to the application of coercive measures in conflict situations that do not pose a threat to international peace and security would be averted.

In the light of the above-mentioned considerations, with this debate on the respect for the purposes and principles of the Charter of the United Nations, the Bolivarian Republic of Venezuela seeks to reaffirm the full validity of the said values, to draw attention to the risks and threats that undermine their implementation, and to engage Member States in effective compliance with those provisions, with a view to strengthening international peace and security.

The threats to international peace and security as a result of terrorism, the proliferation of weapons of mass destruction, prolonged conflicts, and outstanding colonial cases, as well as those situations of violence and destabilization that have recently emerged in the Middle East and North Africa, require the strong will and readiness of Member States to conduct their international relations on a basis of equality, respect for sovereignty and territorial integrity, without interference in internal affairs, and commitment to the peaceful settlement of disputes.

For this purpose, it is necessary that, within the framework of the Security Council, the application of double standards be avoided in addressing issues affecting international peace and security. Likewise, the negative trend of imposing coercive measures in situations that do not constitute a threat shall also be reverted, while promoting negotiation, mediation, conciliation, and the resort to regional agencies or arrangements, among others, in accordance with Chapters VI and VIII.

Moreover, and in order to safeguard and give full effect to the purposes and principles of the Charter, Member States must reject and refrain from applying unilateral coercive measures and national legislation with extraterritorial effects, as well as refrain from bringing to the Security Council issues that are of the domestic competence of concerned countries, in accordance with the provisions of Article 2 (7).

Finally, it is sought that with the holding of this open debate a frank exchange of opinions and a reflection on an issue that transcends a formality and which is linked to issues of global reality concerning this Organization and with a direct impact on international peace and security is produced. Also, this exercise intends to engage Member States in the defence of the purposes and principles of the Charter of the United Nations as key elements for the peaceful settlement of disputes and as the only way for ensuring international peace and security.

Briefer

The Secretary-General of the United Nations.

Expected results

A summary by the presidency is expected as a product of this open debate, taking into account the statements delivered by delegations participating in the meeting, which would subsequently be circulated as a document of both the Security Council and the General Assembly.

United Nations S/2016/104

Security Council

Distr.: General
3 February 2016

Original: English

Letter dated 1 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

I have the honour to inform you that on Tuesday, 23 February 2016, the Security Council plans to hold an open debate on the theme, "Post-conflict peacebuilding: review of the peacebuilding architecture". The related concept note is annexed.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Rafael **Ramírez**
Ambassador
Permanent Representative of the Bolivarian
Republic of Venezuela to the United Nations

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Annex to the letter dated 1 February 2016 from the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations addressed to the Secretary-General

Concept note for the Security Council open debate on the theme, "Post-conflict peacebuilding: review of the peacebuilding architecture"

I. Introduction

The United Nations can play a key role in preventing the outbreak, resurgence or continuity of armed conflicts by accompanying and facilitating national processes. However, some of the recent failures of the Organization have highlighted the need to review, in a wide and comprehensive manner, the peacebuilding architecture. Venezuela, in its capacity as President of the Security Council for the month of February, will convene an open debate in order to contribute to the ongoing review process regarding the way in which the United Nations can improve its approach to peacebuilding.

Our understanding of peacebuilding has evolved since the United Nations peacebuilding architecture was created in 2005.[1] The report entitled "An Agenda for Peace"[2] introduced peacebuilding as a logical progression in the establishment and maintenance of peace; its main goal consisted in preventing a relapse into conflict once a peace agreement was reached.

While the idea of post-conflict peacebuilding still prevails, the Security Council and the General Assembly have acknowledged for some time now that peacebuilding activities are intended to prevent the outburst, resurgence or continuation of armed conflict, thus the importance of short- and long-term measures aimed at addressing the specific needs of societies in conflict or those in post-conflict situations.

The review of the peacebuilding architecture under way in the Security Council and the General Assembly requires Member States to consider peacebuilding in a broader perspective and to address it with greater determination. It is now necessary to have a new focus, not only of the specialized architecture itself, but also of the comprehensive approach to peacebuilding adopted by the United Nations.

In the framework of this broader approach, the Advisory Group of Experts on the Review of the United Nations Peacebuilding Architecture[3] invites us to reflect on the challenges and the future of peacebuilding in the United Nations. In this context, we will focus on some essential elements of the peacebuilding review process, which could help to guide the discussion among Member States.

[1] The Peacebuilding Commission, Peacebuilding Fund, and Peacebuilding Support Office.
[2] A/47/277-S/24111.
[3] See A/69/968-S/2015/490.

II. Areas to be considered

(a) Lack of attention to peacebuilding

To many Member States and United Nations entities, peacebuilding is not of crucial importance, and therefore it is not properly funded. In fact, United Nations activities on the ground pay little attention to effective prevention, much attention to crisis response, and relatively little attention to reconstruction and recovery of States. In some cases, after peacekeeping troops are withdrawn, small United Nations offices with ambitious peacebuilding mandates are left behind, but, lacking resources and political attention, they struggle desperately for years to deal with situations of political and security deterioration in the host countries. The reduction in political attention and in the necessary resources for peacebuilding on the part of the United Nations does not contribute to prevent the resurgence of conflicts.

(b) Peacebuilding time frames

A successful peacebuilding process may require extensive periods of time, even decades, and the process may not advance in a linear manner. The United Nations does not currently contemplate time frames in these terms, which leads the Organization to sometimes act with haste and on the basis of rigid peacebuilding templates. For example, rushing elections in post-conflict situations may lead to the resurgence of violence and the reopening of old wounds. In this regard, it is important that, prior to holding elections, extensive and comprehensive dialogues are undertaken to ensure the broadest possible support by the population and relevant stakeholders. Although this process may take longer than what has been the practice until now, it can help to ensure lasting peace.

(c) Importance of development in peacebuilding

Making progress in development is essential to prevent the emergence and resurgence of conflicts. The inability to make progress in economic and social development may lead to the emergence of conflicts in the first place. Overcoming social and economic injustices, offering sources of livelihood to the population and laying the foundations for wide and inclusive economic growth are fundamental elements of every transition from conflict to normality. However, this is not always the case, and many countries in conflict or post-conflict situations fall behind in the fulfilment of the Millennium Development Goals. In fact, 10 of the countries with the worst child mortality rates in the world have been affected by conflict or are dealing with post-conflict situations. It is impossible to achieve lasting peace without economic and social development.

(d) Role of regional and subregional organizations in peacebuilding

Regional and subregional organizations can play an important role in the development of an environment conducive to lasting peace in countries emerging from conflict. Although important alliances have been established between the United Nations and regional and subregional organizations in the field of peacekeeping operations — for instance, between the Security Council and the Peace and Security Council of the African Union — there has been little progress in similar cooperation in the area of peacebuilding. It is therefore necessary to increase

the political focus in the field of cooperation between the United Nations and regional and subregional organizations in the area of peacebuilding.

III. Briefers

- Ambassador Olof Skoog, Permanent Representative of Sweden to the United Nations, Chair of the Peacebuilding Commission in 2015 (to be confirmed).
- Ambassador Antonio de Aguiar Patriota, Permanent Representative of Brazil to the United Nations, Chair of the Guinea-Bissau configuration of the Peacebuilding Commission (to be confirmed).
- Ambassador Gert Rosenthal, Chair of the Advisory Group of Experts on the Review of the Peacebuilding Architecture (to be confirmed).

IV. Expected outcome

No results are expected.